THE STORY OF MY LIFE

By THE RT. HON.
SIR EDWARD CLARKE, K.C.

Max

Barrister ... Solicitor

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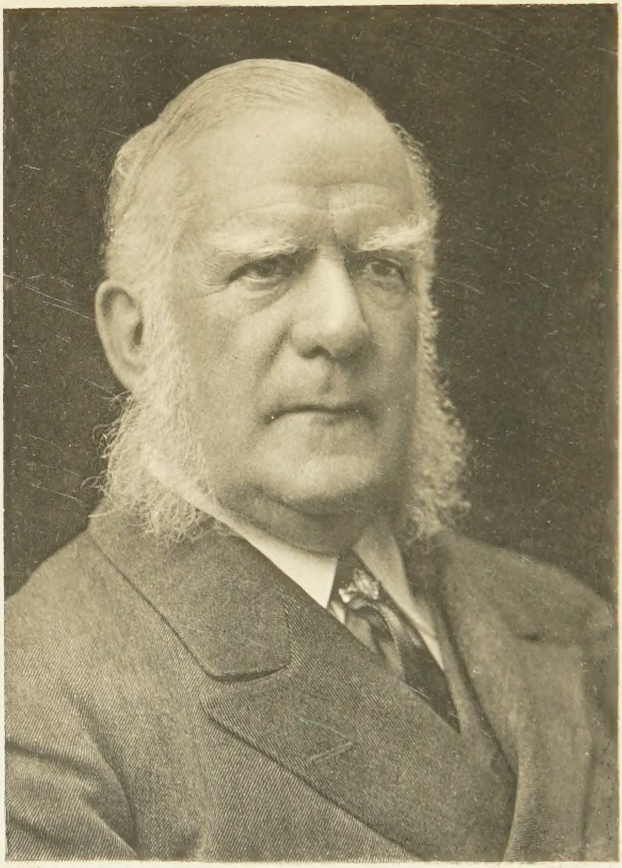

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Edward Clarke

1917

THE STORY OF MY LIFE

BY THE RIGHT HONOURABLE
SIR EDWARD CLARKE, K.C.

A.A. OXFORD; ASSOC. OF CITY OF LONDON COLLEGE; HON. FELLOW OF KING'S COLLEGE, LONDON; M.P. FOR SOUTHWARK FEB.-MARCH 1880; FOR PLYMOUTH 1880-1900; FOR THE CITY OF LONDON JAN.-JUNE 1906; H.M.'S SOLICITOR-GENERAL 1886-1892; TREASURER OF LINCOLN'S INN 1906; PRIVY COUNCILLOR 1908.

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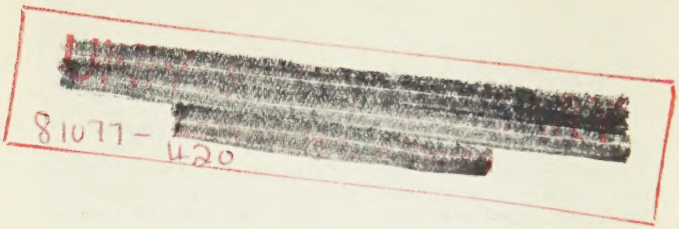

FIRST EDITION . . . *May* 1918
Reprinted . . . . *April* 1919
POPULAR EDITION . . *September* 1923

Printed in Great Britain by
Hazell, Watson & Viney, Ld., London and Aylesbury.

I DEDICATE THIS BOOK

TO THE BELOVED MEMORY OF MY DEAR

FATHER AND MOTHER

TO

WHOSE LOVING CARE AND TEACHING I OWE

UNDER THE PROVIDENCE OF GOD

THE HAPPINESS AND PROSPERITY

OF MY LIFE

E. C.

MOTTOES

1861–1900

Ah God, for a man with heart, head, hand,
Like some of the simple great ones gone
For ever and ever by;
One still strong man in a blatant land,
Whatever they call him what care I,
Aristocrat, democrat, autocrat—one
Who can rule and dare not lie.
And ah for a man to arise in me,
That the man I am may cease to be!

Tennyson, *Maud.*

1900–

Not all who seem to fail have failed indeed;
Not all who fail have therefore worked in vain:
For all our acts to many issues lead;
And out of earnest purpose, pure and plain,
Enforced by honest work of arm or brain,
The Lord will fashion in His own good time
(Be this the labourer's proudly humble creed)
Such ends as to His wisdom fitliest chime
With His vast love's eternal harmonies.
There is no failure for the good and wise:
What though their seed should fall by the wayside,
And the birds snatch it,—yet the birds are fed;
Or they shall bear it far across the tide
To give rich harvests after thou art dead.

M. I. Fortescue-Brickdale.[1]

[1] See "The Authorship of a fine Sonnet," *Cornhill Magazine*, December 1922.

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THE STORY OF MY LIFE

CHAPTER I

INTRODUCTORY

No one will doubt that vanity, the only universal weakness, has something to do with my desire to leave a record of the events of my life. I do not doubt it myself. But I hope and believe that my chief reason for undertaking the task is the wish that such a book may interest lads whose early lives are spent as mine was, in somewhat humble and difficult circumstances, and who may be encouraged by the story of my happy and successful career to be vigilant to find, and active to use, opportunities of self-improvement by study, by exercise of mind and body, by the habitual companionship of books, by the cultivation of worthy friendships. I hope, too, it will encourage them to combat the besetting selfishness of life by interesting themselves in the public affairs of their country and the community in which they live, and in the movements of spirit and intellect—social, industrial, moral, and religious —which are forming the character and so determining the future of our race.

Thus they may rise towards that complete life which is alone worthy of a Christian man, a life of faith and courage and industry, and gain for themselves habits at once of energy and contentment. As I write I am humbled by thinking how far my life has fallen short of my own ideals. Still I have not been consciously untrue to them; and

perhaps the story of my life may help others to a fuller success.

I think if I tell it myself simply and briefly it will be more likely to do good than if I leave material from which, when I am dead, some one might compile a larger and more elaborate biography.

I know very little of my family history. The parish register of Axbridge in Somersetshire would probably give some information, but it would only be the record of an undistinguished family of yeomen farmers, one of whom, my great-grandfather, was living at that village in the later years of the eighteenth century.

Knowing little of my ancestors, I have interested myself the more in the men who have borne my name and have been in any way distinguished in public life. There are only three Edward Clarkes of which this can be said ; and curiously enough each of these was connected with one of the three great interests of my life—literature, law, and the City of London. One of them was a politician also, and as he represented a Somersetshire constituency, I please myself by thinking that I may be one of his descendants.

In 1695 Edward Clarke, Member of Parliament for Taunton, was the chief actor in an event which Macaulay says did more for liberty and for civilisation than the Great Charter or the Bill of Rights.[1]

In passing a Bill for the continuance of certain expiring Acts, the House of Commons intentionally omitted the Act which for fifty years had controlled, and in fact destroyed, the liberty of the Press.

The Lords inserted the Act, and the Commons on the Bill being returned to them with this amendment struck it out. A conference of the two Houses took place. Edward Clarke was the Manager for the Commons, and drew up the reasons for their insisting on the omission.

The Lords gave way and our Press was freed.

The second notable Edward Clarke, and curiously enough

[1] Macaulay's *History*, 4, 542.

the three were contemporaries, comes still closer to my own career, for he was a Sir Edward Clarke who was Treasurer of Lincoln's Inn.

The Black books of the Inn have helped me to trace the outline of his life.

He was called to the Bar in November 1600, and after serving the office of Pensioner (or collector) to the Society, in which capacity I regret to say he was fined £5 for "collecting soe little and having a deficit in his accounts," he was called to the bench in 1626.

He was then Sir Edward Clarke, and had some years before been appointed Recorder of Reading.

So far from being remiss in money matters there, he demanded fees which the burgesses thought so extortionate that they appealed to the Earl of Wallingford, then high steward of the borough, asking him to fix the salary. He fixed it at £6 a year, and this was agreed to by the corporation. But Sir Edward continued to exact larger fees; and so by resolution of the majority of the principal burgesses he was removed from office and a Mr. Saunders elected in his place. Then long controversy went on, and in 1625 Sir Edward was readmitted to office, but it was decided that he should share the fees equally with Mr. Saunders.

This did not please him at all; and a few years later a new charter was granted to Reading and, it was thought through the influence of Archbishop Laud, he was restored to the sole enjoyment of the Recordership. He seems to have saved money at Reading, for the entry in the Black book of Lincoln's Inn which records his appointment as a bencher goes on to say that he offered to lend the Inn £50, "which kind offer the members of the bench doe lovingly accept." Perhaps when he made this offer he thought he was to have all the emoluments of the Recordership instead of sharing them with Mr. Saunders; and oddly enough only a month after he offered to lend the £50 he paid the Inn £10 to be released from the promise. He was Keeper of the Black book in 1631, and the records kept by himself state that he "did lend money to the Inn."

The wisdom of his paying the forfeit of £10 was shown by an entry in June 1632 that "Sir Edward Clarke agreed to accept £100 in satisfaction of the bond for £150 due to him from the House." In 1633–4 he was Treasurer of the Inn, and his arms are in one of the south windows of the Chapel. He had a prosperous year, for the receipts were £641 11*s.* 11¼*d.* and the payments £483 11*s.* 4*d.*, leaving a profit to the Society of £158 0*s.* 7¼*d.*

It appears that he, on May 23rd, 1633, called his son to the Bar; a very exceptional pleasure which I as Treasurer also enjoyed when I called my younger son on November 19th, 1906.

The third of my namesakes was another Sir Edward Clarke who was an interesting figure in the roll of eminent citizens who have filled the great office of Lord Mayor of London.

He was born in 1627, and was apprenticed to his uncle, George Clarke, a mercer in Cheapside.

When William III and his Queen made their first visit to the City and, with the Prince of Denmark, were entertained at the Guildhall on October 29th, 1689, two aldermen were knighted, and one of them was Edward Clarke, then Alderman of Broad Street Ward, who was elected one of the Sheriffs at the next election of Lord Mayor and Sheriffs, which took place on May 26th, 1690. In the same year he was Master of the Merchant-Taylors' Company, of which he had been Warden in 1687 and 1688.

In 1691 he was one of the Commissioners appointed by the Common Council to report upon the office of Remembrancer, who reported in the next year. Then in 1697 he was Lord Mayor. It was an interesting year of office, for the Corporation gave a great reception to William III when he returned to England after the Peace of Ryswick, and the Lord Mayor and Sheriffs attended the thanksgiving service held in the yet unfinished new Cathedral of St. Paul's.

He died in 1703, and was buried in the Church of St. Matthew, Friday Street, to which he and Thomas Sandford

(probably a brother churchwarden) had given the front of the gallery and the King's arms, and where a tablet in the south aisle recalls his memory.

My great-grandfather mentioned above was not, I believe, a very clever or very successful man. A son or nephew of his went to Australia, and by and by became a millionaire and the first Australian baronet.

As the family fortunes declined one son drifted to Bath, and was there employed at the York House Hotel.

He was fortunate in obtaining for his only son, my father, who was born at Axbridge in 1800, a start in life as apprentice to the Paynes, a long-established firm of silversmiths, who carried on business at the south-east corner of Union Street and Quiet Street, Bath.

Here, from 1813 to 1820, my father was employed ; and he always spoke gratefully of the way in which he was treated, and the friendly interest which the members of the firm took in his subsequent fortunes. He happened to be at Axbridge in 1815 when the coach came in covered with laurel, and bringing the news of the victory of Waterloo. At this time Bath was the most fashionable of English towns, and he remembered seeing Lord Liverpool and Canning and Wilberforce talking together at the door of the shop in which he served, and at which Liverpool and Canning were occasionally customers. When his apprenticeship was ended, he came to London, and was an assistant at a shop in Oxford Street, and one at Wilderness Row, Clerkenwell, before he found employment in which he stayed for some years in the service of Mr. Croswell, who kept a small jeweller's shop in St. Paul's Churchyard, just opposite the north door of the Cathedral. The management of the business was left to my father ; he had a good salary judged by his modest needs ; for some time he had been engaged to a very pretty girl at Bath, so in 1836 he went down to that city, put on the blue-tailed coat with large brass buttons which was then the regulation wedding garb, went to Bathwick Church by back streets because he looked so conspicuous, and was married to Frances

George. He was fortunate indeed in finding such a wife. My mother was then twenty-six years of age, ten years his junior. She was slight and graceful in figure ; her face was of delicate and pensive beauty with fine dark eyes ; her manners were quiet and reserved ; not highly educated, knowing no language but her own, with music for her only accomplishment, she had read much of the graver kinds of English literature, and her exceptional strength of character, blemished as it was by a gloomy Calvinistic theology, was the fitting supplement and corrective to my father's gay and somewhat careless disposition. Her father had been in business at Bath, and after his death his widow, with the help of this daughter, managed the depôt of the Society for the Promotion of Christian Knowledge at Milsom Street, Bath, and it was from that occupation in one of the most beautiful towns in Europe that the young bride came to the modest lodgings in Northampton Street, Clerkenwell. She burst into tears when she saw the ugliness of the great wilderness of bricks and mortar which was to be her future home. But, the first tears shed, there began a life which for many years was one of almost unclouded happiness.

In July 1837 a girl was born ; and christened in the mother's name. In May 1839 the arrival of another girl, called Margaretta, after my mother's only sister, was some disappointment, but in that year there was much to think of in the excitement of the daring step being made of setting up a business in the new King William Street which had but lately been completed.

It was a bold venture. The rent of the house, where, according to the wise habit of those days, the family would live over the shop, was £90 a year, and severe economy had only enabled my father to save £200, which was his entire capital. To start a jeweller's and silversmith's business on such a capital seemed madness. But all who knew my dear father loved and trusted him. The wholesale dealers in every branch of the trade helped the man whose character of instinctive honesty they had learned to trust, and there

was one firm, that of Eady & Paris of Red Lion Street, Clerkenwell, of whose unfailing and most generous kindness during a struggle which lasted forty years, I cannot think without emotion and the deepest gratitude.[1]

The experiment was from the first a fair success.

The happiness of the home life was increased by the more constant companionship now rendered possible, and its measure was filled when on February 15th, 1841, the first son was born.

[1] The first Company dinner I attended during my short Membership for the City of London was at the Goldsmiths' Hall, and the Prime Warden was Mr. Frank Eady, the son of one of my father's old friends, and at that time (1906) the head of the old firm.

CHAPTER II

CHILDHOOD: 1841–1850

Of the history of my first ten years there is little to tell. In truth the incidents of childhood are of small importance; what really matters is the character of the home, the atmosphere in which the young life learns to think. And before I mention one or two incidents which remain in my memory and happened before I was ten years old, I will try to sketch the home in which it was my good fortune to be brought up. It was a home of small space and of narrow means.

My dear father was of a simple, kindly, and most generous nature, which shone through clear blue eyes and in a sunny smile. He had little education. I do not remember his ever reading a book; his reading was confined to *The Morning Herald*, which was diligently studied in the frequent intervals of leisure which the character and small extent of his business gave him.

But his nature was not without refinement. He had a sweet tenor voice, played well on the flute, and was fond of music and the dramatic art. And he had some untrained skill in ivory carving. Where or when this was acquired I do not know; he never in my recollection did any such work, but an excellent little figure of Napoleon and one of a sleeping child, both carved by him, were among the most precious of my mother's few treasures.

His only pleasures outside his home were the occasional meetings of the Candlewick Ward Club at the White Hart in Cannon Street, and the rarer dinners of the Cooks' Com-

pany, to his membership of which ancient guild he owed the fact that he never in his life served on a jury.[1]

A very rare visit to the theatre when he took me to see one of Shakespeare's plays was an indulgence of which my mother's severe opinions did not allow her to approve. I was the only one of the children permitted to share this dangerous pleasure. My father had not some of the qualities, whether of merit or defect, which help to success in business. He had abundant industry, but little energy. The ingrained conservatism of his nature made him continue for forty years exactly the same methods of trade as he began with when he went to King William Street in 1839. No change was ever made. The same formal row of candlesticks and dish covers filled the top of the shop window. The same little cards with sets of studs upon them and the unchangeable price neatly written under each set, the same trays of rings, the same rows of hanging chains, were seen in the same places year after year. In the glass case on the counter the same pencil cases and smelling bottles and plated spoons and forks waited year after year for the expected purchaser. So it is not wonderful that the business did not grow. Old friends were very faithful; attracted and retained by his cheerful gratitude to any one who came to buy, and by his manifest and absolute honesty. He was indeed a gentleman by nature. Incapable of a mean action or an ungenerous thought; his heart always youthful in its frank delight at any piece of good fortune which came to him or to another; his life ruled by a devout religious feeling which knew little of creeds and dogmas, yet gave him hope and courage and strength, and was to him indeed a habit of goodness.

I thank God for this, one of the greatest of the blessings that He has showered upon me, that He set before my childhood a pattern of life so lovable, so noble, and so pure.

In my dear mother he had a companion of a different

[1] In June 1906 the Cooks' Company did me the honour, never paid to any one else, of presenting me with the honorary freedom and livery of the Company.

and, on the intellectual side, a higher type. At the depôt at Bath she had opportunities of improving her education which she did not neglect. She had read much and acquired a habit of reading—chiefly history and the theology of the seventeenth century. She had little training in music, but she sang sweetly, and played the piano with ease and taste. She was a devoted wife and mother. To her home and the teaching of her children all the thoughts and activities of her life were given. Her acquaintances were very few, and as we grew older they fell off through neglect. She was not indeed of a character which invited the lighter friendships. With strangers she was cold and reserved in manner. Absolutely devoted as she was to her husband and children, it seemed as time went on that it was the devotion of duty rather than of love. In her a sweet nature had been, by the incidents or influences of her early life, rendered somewhat hard and unsympathetic.

What those incidents were I never knew. There was always a strange reticence on the part of both my parents about that early life. Her father was never mentioned; her mother very rarely. Indeed the statements that I heard that her father's name was Henry George, that he was a hairdresser in Bath, and that he there committed suicide, always seemed something of a myth. There was an old woman named Betsy, who used to come to the shop once a month, and there receive from my father in almost absolute silence on both sides a certain small sum of money, of whom we children used to speak to each other mysteriously as being connected with some secrets of the past. Whatever the cause the severity of character was fixed. Especially in its religious aspects. My mother was a rigid Calvinist in her creed, inexorable in her judgement, especially in cases of immorality; fond of the severities of the Old Testament, strict in the precise observance of the Sabbath, and in abstinence from theatres and public dances, and from the lighter forms of literature.

The government of the little household, its admirable economies, and the intellectual side of our training, came

from her, but my father's sunny spirit gave life and cheerfulness to a home which otherwise would have been gloomy. I said it was a home of small space and of narrow means. From first to last my father's income only averaged and rarely exceeded £300 a year after paying rent and taxes. Upon this income my mother and he brought up a family of six children, who all had a good education, and a home of comfort and of some refinement. The house itself was cruelly small. Besides the shop there were only four rooms, a sitting-room, two bedrooms, and a kitchen, and it taxed my mother's skill in management to make life in such a home consistent with decency and health. In the top room where the parents slept a little cot held the latest born of the children. Outside on the landing a bed was placed for one of the boys. The girls and the maid-servant slept in the other bedroom which was on the second floor. The cook slept in the kitchen. The shop-boy slept in the shop on a truckle-bed before the counter, and when in 1848 the arrival of a third boy ousted me from the staircase bed, I also had a folding bed behind the counter in the shop. That was my sleeping place from the time I was seven until we left the house ten years later.

The home was crowded, but it was not without refinement. All the family life belonged to the sitting-room on the first floor, which was dining-room, drawing-room, library, school-room, and play-room all in one. Let me try to describe it. A room about sixteen feet by twelve, narrowed at one end by the slant of the fireplace at its corner. Two large windows to the street, with low blinds of a sort of brown gauze. At one end, where the door opened from the staircase, a large piano with a flat top, upon it standing the oil lamp, by which at night the room is lighted, and some piles of music and of books.

At the other end a black horsehair sofa filling the space between the window and the fireplace. On the wall above the sofa an engraving of the Queen being entertained at the Guildhall in 1840, where my father had contrived to be present in the garb, if not with the occupation, of a waiter.

Above the mantel-shelf a miniature of my mother at the age of twenty, with hair piled up in curls, and a low bodice, and short puffed sleeves. On the mantel-shelf a gilt clock, a vase or two, and the ivory statuettes under glass shades.

In the centre a square school table with flaps which adapted it to its various purposes. Round the room, placed regularly against the wall, half-a-dozen horsehair chairs with stiff mahogany frames and a child's chair or two. This was all that could be seen, and it was bare enough. But between the door and the fireplace was the real treasure-house, a spacious three-cornered cupboard with shelves round it. Here were books, slates, and play-things, a large Noah's Ark, some historical and geographical puzzle maps, games of English Kings and Queens and the cities of the world, and a box of Loto, which taught us quickness of eye and was the nearest approach to a game of chance we were ever allowed to play. In this room, when prayers had been read and breakfast was finished, we set to our lessons for the day. As I try to recall the past I seem to see a little fair-haired girl of twelve—my sister Fanny—at the piano, with her mother—the never-ending needlework in her hands—sitting by to correct and encourage. At the table, drawing, is a girl with dark eyes and hair, two years younger, my sister Madgie, a cripple, dragging herself about heavily with steel frames from foot to knee, always an invalid, but always happy in the art which was the chief resource and pleasure of her life.[1] And at the sofa on his knees is a small pale-faced boy, deep in some book, almost certainly a book of history. It was a happy childhood. When the lessons were over we went for a walk in Drapers' Gardens or the garden of Finsbury Circus; or sometimes went to the Temple Gardens along the narrow streets which filled the space now opened by Cannon Street and Queen Victoria Street; or went, again through narrow streets, to the Tower of London, where we played in the Moat Garden and rejoiced in childish dreams

[1] She designed, as a pupil at the Female School of Art in Queen's Square, the lace which Princess Louise wore at her wedding.

of the history of the Tower. If the afternoon was wet, there was the unfailing resource of looking through the window at the changing tide of traffic; or, as customers were likely to be few and the shop bell could soon be answered, the dear father would come up and play the flute to us, or join our games, or sing with our mother the duet we were fond of, "Rise, fair maiden, chase thy slumbers," or take one or two of us on his knees while she sang "Phyllis is my only joy."

There were other and rarer pleasures. Once a year a long day at the Zoological Gardens. And once or twice an old customer, Captain Greet, who commanded H.M.S. *Crocodile*, the guardship moored off the Tower, asked us to come and have tea on board, and the wonders of the ship itself, and the stories he would tell us of sea life, and the sight of the Traitor's Gate and the central Keep of the Tower, made the visit a precious memory for many months.

Now and then we went to a neighbour's house where we and his children used to learn and practise dancing, and once a year we had a children's party with a Christmas tree.

Each spring a lodging was taken at Greenwich, and here for a few weeks we took it in turn to stay with our mother, and in the glorious heath, the beauties of Greenwich Park, the wonders of the great clock and ball of the Observatory, and the pictures and relics in the painted Hall of Greenwich Hospital, found enjoyments ever exciting and ever fresh. Now and then my father would come down by train, in one of the open trucks, without a cover and without a seat, which then were used for the cheapest class.

Again I thank God for such a happy childhood so guarded and so trained. Had my parents been people of wealth and rank they could not have given me a better start in life; they could not if they would have given me the same fullness of parental care.

Of my home life before I was ten years old there are only two incidents which I clearly recollect. One was the Chartist riot of 1848. The night before the expected out-b reak my father took me out to see the sandbags piled along

the parapet of the Bank of England through which the soldiers would fire on the rioters. On April 10th itself we were all in anxiety and excitement. The shops were shut. My father, armed with his special constable's staff, went to his post of duty on London Bridge. All the morning we children were at the window, peeping over the brown blinds and wondering when the fighting would begin. Just about 12 o'clock there was a thrill. A large wagon with about a dozen men in it, and at its centre a tall pole with the red cap of liberty on its top, was driven rapidly by, and we thought the terrible moment had come. But nothing happened. By and by the special constables came back laughing and joking, and we heard that the rebellion had fizzled out before it reached Westminster Bridge.

The other incident was of a very different kind. The bed behind the counter was a necessity, but it was a hard trial to a young child. The noises of the street frightened me, and when they died away the terrors of the silences took their place. I would lie awake listening for the policeman's tread which brought a suggestion of protection. Sometimes a drunken man would reel against the shutters, and wake me with the rattle of the thin sheets of iron which were put between them and the shop windows. Sometimes the noise of quarrel or a woman's scream would startle me from sleep, and leave me in restless and excited wakefulness. Sometimes, and this was the worst, I fancied that I heard a key in the door, or a chisel at the shutters, or the sound of some one stealthily moving in the shop. Then fear became a physical pain. One night it was unbearable. I sprang up and violently rang the bell. Next moment I was ashamed and frightened at what I had done. My father was quick of temper, my mother severe in punishments; I had disturbed and frightened them without a cause. Footsteps hurrying on the stairs, my father and mother quickly by me, candle in hand. I pretend to be asleep. "What is the matter? Why did you ring?" Then the futile falsehood, "I did not ring." They looked at each other; I think they understood. There was no scolding; a few

soothing words and they went away, leaving me to sob myself to sleep in the sorrow and humiliation of having told a cowardly lie. I do not know what happened afterwards, but I think I can guess. For a day or two my father would be kinder than ever. For many weeks my mother would look at me sadly ; she would make me learn a text which told of the doom of liars, and she would offer heart-broken prayers that her erring child might be saved from the wrath to come. I never rang the bell again.

CHAPTER III

SCHOOL: 1851–1854

WHEN I was nearly ten years old the question where I was to go to school had to be faced. My father had hoped for a nomination to Christ's Hospital, but in this he was disappointed, and it was decided that I should go to the Merchant-Taylors' School in Suffolk Lane, Cannon Street. My name was duly entered and school books were bought. Two old ladies named Townsend kept a sort of boarding house opposite the door of the school, and there it was arranged that I should dine and prepare my lessons in the evening. It was within a week of the assembly of the school when I had a recurrence of the severe and continuous headache by which I had for several years been troubled. Dr. Lloyd came over from Finsbury Circus, and on his advice the idea of a day school was given up, and my father looked about for a school in the country where I might have less teaching and more exercise and fresh air. He saw in his daily paper an advertisement of a school at Edmonton, where sound tuition, domestic care, good diet, and spacious playgrounds were offered for the modest sum of £30 a year. So one morning in January 1851 my mother took me in the omnibus which started from the "Flower Pot" in Bishopsgate Street, and was the only regular conveyance between London and the pleasant country village which John Gilpin's ride made famous.

It was for me a most fortunate choice.

In an old rambling house next to the Bell Inn, the schoolmaster, with the aid of three or four ushers and an invaluable matron, taught and took care of about a hundred

boys. He was himself a man of no great education, with a pompous manner and full rotund voice; a terrible impostor so far as school work was concerned, but a shrewd and clever manager of boys and their parents. His black-tailed coat, his voluminous white neckcloth and that unctuous voice, were part of his stock-in-trade, and the grave deference of his "my dear madam," the tenderness of his "your dear little boy," won many a mother's heart.

In truth he was a selfish, hard man, capable, as I found out later, of spite and cruel injustice. The first master was one Oakshott, a much better type, rough in manner but kind and just, and very helpful to boys who tried to work. He taught me shorthand—that is to say, he gave me a sheet of paper with the characters on it and looked over a few of my early attempts to write; and thus to him I owe one of the two acquirements which represent, so far as teaching is concerned, the greater part of the advantage I got from two years of school life at Edmonton. The other acquirement came from the English master, a shy, awkward, shambling creature named Plaice. He was a man of some culture. He had once been an actor, and had risen to be the understudy of some tragedian whose name I did not know. By strange by-ways of misfortune, perhaps of misconduct, he had drifted down to be the drudge of this school. He spent his holidays there, for he had no friends to go to, and there were always some boys to be looked after. He was the slave of the other masters and the butt of the boys. Condemned to ceaseless labour, with very little pay, and none of the associations of friendship or affection which make poverty endurable, he had but one pleasure—the elocution class. While the boys were at play it was his duty to be always with them, but he walked up and down, up and down by the playground wall, reading or reciting scenes from the plays of Shakespeare. He soon took to me. I was very little, very quiet, not used to the roughness of lads mostly a little older than myself, and he befriended me and gave me the treasure which was all he had to give. I was already fond of poetry, and in my home

teaching the invaluable art of elocution had not been forgotten. I had been used to read aloud, and to recite the hymns and religious poems which were thought to be suitable. Now a new literature came within my ken, and I used to walk up and down with him listening to his recitation. Soon he took me in hand and was very kind and patient with me, and at the end of 1851 when a play was performed in the school-room by the elder boys, I came on between the parts and recited Othello's "Address to the Senate."

It seems absurd to say it, but I think it was in the year 1850, when I was only nine years old, that the idea of some day being a Member of Parliament first came into my mind. It happened that in the summer of that year I was at home when a great event occurred. The last great debate in the temporary House of Commons which had been used since the fire of 1837, the Don Pacifico debate, had been expected to end in the downfall of the Whig Government. For five years, since the betrayal of 1846, there had been division in the Conservative ranks. Sir Robert Peel and the notable group of his followers—Sir James Graham, Sidney Herbert, and Gladstone among them—had sat on the front Opposition bench alongside the Tory leaders Lord George Bentinck and Disraeli, but without having any party association with them. There were no communications between the two sections as to the conduct of business or debate. But in view of the Don Pacifico discussion with its hopes of victory (promise of victory and office) this isolation was broken down. In joint council it was arranged that Disraeli should close the debate and that Gladstone, who then made his first speech on a question of foreign politics, should follow Lord Palmerston. Alexander Cockburn, called up from his work on the Western Circuit and earning for himself the Solicitor-Generalship six weeks later, and ultimately the Lord Chief Justiceship, by obeying the summons which Crowther refused, said in his speech, with a strange disregard of parliamentary usage, that he supposed they must now

consider Gladstone as the leader. "Gladstone *vice* Disraeli, am I to say resigned or superseded?" The attack did not succeed. At 4 o'clock in the morning of Saturday June 29th the division was taken and Ministers had a majority of forty-six. But the joint action of the Peelites and the Tories seemed to promise that the quarrels of the last five years would be forgotten and that Peel and Stanley, Disraeli and Gladstone, would thenceforth act and probably very soon triumph together.

It was otherwise decreed. At 4 o'clock on that Saturday afternoon as Sir Robert Peel was riding slowly up Constitution Hill his horse stumbled and the rider was carried back to Whitehall Place to die. He lingered for three days. On the Sunday afternoon my father took me to Whitehall, and there a scattered crowd loitered up and down Parliament Street watching the house where he lay. The scene made a great impression on me. And I doubt not that before we reached home I knew all that my father could tell me of the life that was so soon to end.

In 1852—I may as well describe the scene now, for it hangs in my memory as a companion picture—I was brought up from school for a few days to see the funeral of the Duke of Wellington. On my young mind the solemnity had a great effect. The night before the funeral my father took me to Ludgate Hill, where in the flare of torches workmen were setting up great barricades of wood, while all round one heard the hammering at stands and balconies, and saw the black hangings at the windows. Early next day we all went in a cab over London Bridge, returning across the Suspension Bridge at Hungerford as the only way by which we could be sure of reaching Buckingham Street, Strand, where, at the London office of a Sheffield silversmith with whom my father dealt, we were promised a window to see the funeral procession. The view was not very good, so my father took me to the end of the street, where for a shilling or two we were allowed to stand on a wooden box or table.

There we waited while the crowd grew dense. At

12 o'clock guns told us that the procession had started, and by and by we heard in the distance the heavy tread of the soldiers. On they came; thirty thousand marching in the procession. The Rifles in their dark uniform, marching with arms reversed, came first. Then for half an hour the monotonous tramp of feet, the colours hung with crape; the muffled drums beating to the funeral march; the guns throbbing in the distance. Then after many carriages came the dead soldier's horse led along with the boots reversed hanging from the saddle. Last the great funeral car, the hat and sword on the coffin which looked strangely small on its massive stand. And the silver trumpets of the Life Guards in the wailing tones of the "Adeste Fideles."

All lookers-on uncovered; the people round me sobbed like children, and my father, always of quick emotion, could hardly stand; and I carried away deeply graven on my memory a scene which has never in my recollection had a parallel.

I return to the story of my life at Edmonton, but there is not much to tell.

During my second year there my schoolmaster and I came to love each other very little. I do not quite know how it came about, I suppose it was partly my fault, and yet I know that I was very keen to learn and that it troubled me much to think how grieved and disappointed my parents would be to hear bad accounts of me. I had at first done so well. The reports were excellent; I was in the school roll of honour from which a single punishment would have excluded me; although quite a junior boy I was made monitor of my dormitory; I got into the second eleven of the school at cricket; my holiday tasks were, of course, always well done. But something went wrong. I think the trouble began by my resenting some rough treatment to which I or another was subjected. Whatever the cause my last six months at Edmonton were a perpetual storm. I remember being beaten three times in one day, twice in the schoolroom and once in the bedroom; once for some misbehaviour in school, the other times because I would

not beg pardon or cry. I should have liked to cry. It might have made the pain seem less, or at all events have saved me from more, but I would have died rather than cry—until indeed I was alone and it would not be a triumph for my tyrant.

Of course this state of things could only end in one way. There were violent reports sent home. My poor mother was in deep distress, and at the end of 1852, after a stormy interview at King William Street at which I defended myself as best I could, the pedagogue took his leave and my country schooling ended.

I brought away from Edmonton a fair teaching in elementary subjects; the two invaluable acquirements already mentioned, and an abiding dislike to missionary societies, to which out of our scanty pocket-money we had been compelled to contribute.

But I brought with me something better than all—good health. The food at school was plentiful and good; the hours of study were short; the playground and the cricket-field were large and open to the country, and I, who went there a pale-faced and delicate child subject to painful headaches, came back as a lad of twelve, not indeed sturdy or strong, but so much changed for the better that there was never afterwards any reason for anxiety about me. I brought with me also one long-abiding friendship. Robert Pottle, whose father had a newsvendor's business at the back of the Royal Exchange which he himself afterwards carried on, was rather older and much stronger than I, and used always to stand by me in school troubles. He had a charming mother and two pretty sisters. I became a very frequent visitor at their house in the New North Road, and my friendship with him, a manly and generous soul, lasted until his death fifty years after we first met at Edmonton.

Again a school had to be found for me, and again there was found exactly the school I needed. My mother would not let me go away from home again, so I was sent to the City Commercial School in George Yard, Lombard Street.

In a low-roofed building, the site of which can easily be found, for ancient lights have kept down the bank which has replaced it to a low level of height, one William Pinches kept a school which he had established in 1830. The conditions of life in the City of London were very different from those which are found to-day. Now the square mile of its area has a population of housekeepers, and caretakers, and police, and firemen, and there is little need of day schools for its twenty thousand residents. But in 1841 the traders and their families lived at their places of business and the population was over six times that number. From the first the school prospered. The education was to be had cheaply. There was no teaching of Greek; some of the elder boys learned Latin, for the sake of the grammar and not of the language; German was an extra rarely indulged in; and French was only permitted as a privilege of the higher classes. But the essentials of a good English education were soundly taught.

To write clearly, to cypher quickly, to read aloud with intelligent emphasis, and to be accurate in grammar and spelling—these the schoolmaster rightly thought were the essentials. Let these be mastered and everything else in the way of learning will come when it is wanted. But many other things were well taught. History, ancient and modern, geography, elementary science, geometrical drawing, found their place in an excellent system of instruction. And the charge for all this was only six pounds a year. I will try to sketch the person and the character of the teacher to whom I owe a great debt of gratitude.

A short, stout, broad-shouldered man, active in movement, precise in dress; the invariable black-tailed coat always well brushed, the wide open waistcoat displaying a snowy shirt, at the throat the small black tie under a turned-down collar which denoted one whose model in youth had been Lord Byron. A round smiling face above which the scanty light hair was now silvering. The kindest blue eyes sparkling through, or more often under, a pair of gold-rimmed spectacles. A small mouth "where smiles went

out and in," but close pressed and hard when any fault, especially if it were a fault of meanness or unfairness, excited his short-lived anger. A voice clear and strong and trained to excellent elocution. A patience which nothing could tire; a nobility and generosity of soul which shone through all the monotonous toil of his daily life; a deep and earnest piety which found expression in his loving sympathy with every boy who came under his rule and tried to do his work honestly—this, as well as I can draw it, is the picture of the man under whom I was so fortunate as to spend two happy years.

I came to him in a state of mind which fitted me to profit by the good influences of the school. I was sore and disappointed with the failure at Edmonton, but it was the unconcealed sorrow of my father and mother which pressed upon me most. I knew that I had it in me to learn and to succeed, and I went to George Yard resolved to wipe out my own shame and their regrets and misgivings. They were indeed soon wiped out. There is nothing of moment to tell about the school life of those two years, but it was a steady progress to the top of the school. There were no alternations of credit and disgrace; I never had a punishment; I do not think I ever vexed the dear master whom I loved and whose friendship and counsel were given me until his death.

There was one side of the school life which I must mention separately. Again my constant good fortune had brought me to one who found his chief enjoyment in poetry and the dramatic art. Elocution was taught to all whose parents had intelligence enough to permit the study. And once a year an entertainment was given at the Jews and General Literary and Scientific Institution at Sussex Hall, Leadenhall Street. I was in my time the show boy of the school. At three of these Christmas gatherings (for my supremacy was so great that, contrary to all rule, I was asked to recite a year after I had left the school) I spoke the last piece in the programme. These were great nights. The hall was filled with parents and friends. The boys were in their

evening dress of black jacket and black tie, the master sat at the side of the platform with lips moving as he followed every word of every recitation, and his kind eyes sparkling with fun or fire according as the piece was gay or grave.

I had no rival present in the school, but even I could not hold my own against the memory of one who had just left. Whenever I had done anything particularly well I used to hear "Very good, Clarke, very good, but I wish you could have heard Brodribb say that." I used to hate that absent paragon, but did not know him until many years later, when I met him at Hain Friswell's house in Great Russell Street, and formed a close and long-enduring friendship with Henry Irving.

One word more on the subject. The habit of learning poetry, early acquired and diligently kept up, has been a comfort and companionship to me ever since, and the pieces I recited at Sussex Hall—Coleridge's "Ode to Mont Blanc," Campbell's "Hallowed Ground," Bell's "Mary Queen of Scots," Halleck's "Marco Bozzaris," and Thackeray's "End of the Play"—have been precious possessions.

My studies at George Yard came to an end too soon. I was not yet fourteen, but three younger children had to be educated, and I might be of use in the shop, so in December 1854 my school life closed.

CHAPTER IV

THE SHOP: 1855–1858

On January 1st, 1855, I first went to help in my father's shop, and my service there continued until nearly the end of the year 1858. It was not an unpleasant life, for although the hours were long and the monotony somewhat irksome, I had the constant pleasure of the companionship of my father, and I soon found time for a good deal of reading. The days were all alike, so I will describe one. At eight o'clock the shutters were taken down, and while the boy swept and dusted we had breakfast upstairs. At nine my father and I both went down and the door was unlocked. Then I got out the trays of the small and valuable goods which had been put in the safe the night before, and my father arranged the window while I brushed and dusted the things as I handed them to him. Afterwards, but before customers were expected, some of the plated goods were taken down and with whiting and brush and rouge and leather were made as bright as could be. Then came the time for going to the manufacturers. There were orders to be sent; goods to be fetched which had been sent for repair; requests to be taken for goods wanted for inspection; patterns to be asked for, jobs to be taken for repair; silver goods which had been sold had often to go to the engraver. To Eady's in Red Lion Street, Clerkenwell; to Paton the jeweller in Northampton Street; to Kemp the cameo-brooch maker in Meredith Street, Clerkenwell; to Hasluck the jeweller in Hatton Garden; to Barnard the silversmith in King Edward Street; to Day the little working jeweller in Paternoster Row; to Stauffer the watch-

maker in the Old Jewry—this was a usual round. It would take me until dinner-time. Then after dinner there were parcels to take to customers, to Edgar P. Stringer at W. S. Lindsay's in Austin Friars; to H. W. Ripley at Mincing Lane; to Thomas Treloar at 42, Ludgate Hill; now and then as far as to Frederick Salmon, the great surgeon at Manchester Square. Of course I was not at first trusted with valuable parcels. But it was soon found that my errands were quickly done. In truth I hurried along the streets in dread of the rough boys who used to jeer at me and sometimes strike me in sheer wanton brutality, seeing that I was too small to resist. There is a shop in the Goswell Road, close by the western end of Old Street, which I never pass without recalling the day when at that spot a big boy snatched off my cap and flung it in the street, leaving me to pick it from the mud and laughing at my impotent anger. In the afternoon there was sometimes another visit to Clerkenwell.

But generally there was nothing to do until three o'clock. The customers were so few that sometimes an hour would pass without the shop door being opened. That was my happy time. At the back of the shop counter against the wall was a shelf covered with red baize on which the odds and ends of the business, jobs repaired or waiting to be repaired, and goods obtained to be shown to customers, used to be placed. On that I would put my book.

There was only one stool behind the counter, and indeed my father did not often indulge himself in the luxury of sitting down; he thought it looked unbusinesslike if a customer came in.

But at this baize-covered shelf I would stand for hours reading, chiefly poetry and history. I lived for a long time on Hume and Gibbon and Shakespeare, but Scott's novels were often in my hand, and my father did not mind what I read so long as I was quiet and ready to do anything that was wanted.

At first he strongly objected to books in the shop. His scheme for my future was that I should work hard at

extending the trade, that some day I should be his partner, and that after he was gone I should carry on the business in the name which he was justly proud of having added to the honourable roll of City tradesmen. But my mother had dreams of a different fate for me. My father submitted, as he almost always did, to her stronger will, and my reading was allowed to go on.

There was one incident in my early days in the shop which I am reluctant to record. But I am telling the story of a real life, not an imaginary one, and I do not think I have the right to leave it out. One day, yielding to some temptation for which I cannot account, I stole some money, two or three shillings, from the till. I forget how the theft was found out, but it was, and that promptly.

I suppose the loss was noticed, and that the book was found which I had bought with the stolen money. It was *A Pair of Gloves*, by J. Hain Friswell. I can recall the look of the white bound volume with the picture of a glove on the cover. I remember my father's anger and my mother's tears. What excuse was found for me I know not, but I do not think the punishment was severe. Perhaps they thought, and if they did they were right, that the recollection of that sin would haunt me with a punishment which would last beyond their lives.[1]

My first move outside the home life came in a curious way. A Mr. Selfe, who was the parish clerk of one of the City Churches, used to hold a Bible class for young men at Salisbury Square, Fleet Street, in connection with the Church of England Young Men's Society, which was then just removing to a house in Fleet Street close to the Church of St. Dunstan and on its eastern side.

[1] It is a curious fact that the story of this book turned upon our stupid and cruel law which would not allow a wife to give evidence for her husband. In the story a man is charged with a crime. He has passed the night on which it was committed with the woman he loves. She sacrifices herself to save him, confesses she is not his wife, and so is able to give the evidence that procures his acquittal. It was not until forty years later that I was able to help in the removal of this stain on our administration of justice by the passing of the Criminal Evidence Act of 1898. I hope I thereby made some atonement for my sin.

I was taken to him by my father, who commended me to his care, and so I, for the first time, obtained access to a library. There was also a debating class which attracted me. But I soon got into trouble.

The air was at that time full of the Romish controversy, and resentment at the Papal aggression of 1851 was very hot. Cardinal Wiseman had lately published his *Appeal to the People of England*, and the chief occupation of the debating class was to reply, to their own great satisfaction, to the arguments of this book.

At each meeting a chapter was read and then the members in turn tried to answer it. The chief combatant on the Protestant side was a supercilious young watchmaker in Farringdon Street named Snosswell.

One night I ventured to suggest that he had not the best of the argument, and thenceforward I was looked upon with some suspicion. Again, I found that the library did not contain a copy of Shakespeare's works. So in the suggestion book I proposed that one should be bought.

Snosswell was shocked, and his name headed the list of those who protested against the purchase. The Society was pretty evenly divided, and the Committee endeavoured to please both sides by getting a copy of Bowdler's edition. I remained a member for some years and occasionally gave readings and lectures at the rooms, but I never got any real good out of the Society, except the friendship of Robert and George Warington, the sons of the resident chemist at the Apothecaries' Hall. In later years Robert was himself a distinguished chemist. George wrote under the title of "A Layman" the best answer to Bishop Colenso, was ordained by the Archbishop of Canterbury, wrote an admirable little book on "Inspiration," and died early in South Africa, where he went to try to stave off the attack of consumption.

It was not long before I found my way to the institution which did more for me than all the other agencies of self-culture of which I in turn availed myself.

In the year 1849 two City clergymen, the Rev. Charles

Mackenzie, rector of Allhallows, Lombard Street, and the Rev. Richard Whittington, a mathematical master at the Merchant-Taylors' School and Evening Lecturer at St. Peter's, Cornhill, formed a plan to establish in every city parish, as part of the Church organisation, evening classes for young men, where the ordinary subjects of commercial education should be very cheaply taught.

In its original shape the scheme did not succeed. But a few years later such classes as had been formed were concentrated at Crosby Hall, Bishopsgate Street, which by the liberality of Miss Hackett, whom Mr. Mackenzie interested in the project, was rescued from its degradation as a furniture warehouse and turned into an admirably equipped literary institution.

The two founders were both notable men, but of very different types.

Charles Mackenzie was a churchman of the type then known as High and Dry. He was a poor preacher; had no great literary capacity, nor the contagious enthusiasm of a great reformer. His manner was sedate, his speech deliberate; there was nothing very attractive in the precision of his language and the calmness, almost severity, of his aspect. But he was a man of firm resolve, of boundless courage, and of inexhaustible patience, and he had determined to give all that he had in time or money or influence to the service of the young men of the City of London. "Difficulties," said he one day, "are things to be got over." And from 1849 to the time of his death in 1888 the heavy burden of this work fell chiefly upon him.

Richard Whittington was an earnest evangelical in religion, a quiet unassuming worker, gentle and sympathetic, who gave ungrudgingly all his scanty leisure to teaching and administering at the evening classes. Yet during the lifetime of Charles Mackenzie he would always try modestly to efface himself when any public opportunity was given for recognising the great work which he and his colleague were doing. After Charles Mackenzie's death he took the post of Principal, and Chairman of the

Governing Body, and held the last named office until I succeeded him in 1868.

At these classes I worked steadily for about four years. One guinea a year gave (as it still gives) entrance to the library and reading-room, admission to the weekly lectures, and membership of one class of twelve lessons in any subject in each of the three terms of the year. The classes were well arranged and with well-trained teachers, and I set to work in earnest. English history, political economy, French, and elocution were my principal class subjects, and I became a regular attendant at the debating society. Some of the classes met at 6 or 7 o'clock, so when I went to them my day in the shop would end at tea-time instead of when the shop closed at 8 o'clock.

But some kind friend lent me a reader's ticket for the library of the London Institution in Finsbury Circus, and when shop was shut if it was not a class night, I would run over there for an hour's reading before supper.

My passion for work soon attracted attention, and Mr. Mackenzie and Mr. Whittington both took the kindliest interest in me.

I have a copy of the *English Poets* in four volumes, in the first of which is written:

Presented to Edward George Clarke by his most sincere friend the Rev. Richard Whittington in testimony of the pleasure he experienced at his distinguished position in a recent examination at Cresby Hall. May 1856.

That prize sowed the harvest of many others.

I had thus distinguished myself at the evening classes, and I looked round for a larger world to conquer. The same year brought a great opportunity.

In 1856 the Society of Arts, inspired by Harry Chester and Peter Le Neve Foster, set on foot a system of examinations open to all members of evening classes or mechanics' institutions, and they offered handsome prizes in money.

I and some of my friends at Cresby Hall determined to compete, and we were examined at the Society's rooms in

John Street, Adelphi. At this first examination fortunately for me there were not many competitors. I went up in English Literature and English History. *Hamlet* was the prescribed play of Shakespeare, and we had to write an essay upon it. I do not know where I got the idea, it could hardly have been original in a boy of fifteen, but I argued, what I firmly believe to-day, that the secret of the play is to be found in the fact that Hamlet had seduced Ophelia. I remember nothing more about the examination; but when the prize list came out the Crosby Hall Evening Classes had beaten all other institutions; we had three prizes out of six. I was first in English Literature; Thomas Brodribb (no relation to Irving) was prizeman in French; and Thomas Ross Howard took the prize in German. It was a time of great joy at home. Much was said publicly about the examinations, and the prizes were distributed by Sir John Pakington before a crowded room at the Society of Arts.

My prize was ten guineas, a quite magnificent sum; and I had much consideration as to what I should do with it. The decision was left entirely to me, so I spent half the money upon an edition of Hallam's works in ten volumes, and the other half was reserved for a walking trip round the coast of Kent in the autumn of 1858.

It seems to me now that at seventeen I was rather young to start out alone upon a walking trip, and I dare say my parents thought so too, for the dear father came down to Eastbourne with me by a Sunday excursion train to set me on my journey, and see that I was properly housed for the first night. What a delight that journey was! With a bag slung over my shoulder I marched along in the pride of independence. From Eastbourne towards Hastings I walked, lingering so long at Pevensey that the night fell and the great comet spread its bright scimitar in the heavens, and I lost my way and had to get a friendly coast-guardsman from a Martello tower to guide me to the little country railway station at Bexhill.

Next morning to Hurstmonceux, thinking much of Sterling

(for I already knew the charming life which was almost the only thing Carlyle ever wrote in decent English), and on to Battle and so back to Hastings.

Thence the next day to Lovers' Seat and Fairlight Glen, and across the hills to Winchelsea and Rye. The train was taken from Ashford to Folkestone, for the road would have been long and dull. But thenceforward I kept to my walking, and Dover, Ramsgate, Broadstairs, and Margate were taken in turn.

I wrote a letter home every night, slept like a top, spouted poetry to myself as I walked along, and came back in about a week's time with memories that have lasted a lifetime, and with a good deal of my five guineas left.

That was the first of many tramps. In Surrey and Kent and Berkshire; twice in Wales; in Devon and Wilts and Cornwall; round the western coast from Lynton to the Lizard Point, I have walked with a knapsack on my back, and have learned to know and love our dear and beautiful island as only one who walks alone can do.

Two people can no more see a landscape than they can write a poem. You either know your companion, and then you talk about the things you talk of every day and your brain gets no change of air, or you do not know him, and then you most likely do not talk at all, and only inconvenience each other by your difference in plans and tastes. One hardly ever sees a knapsack now.

I grieve to note that a pleasure so cheap, so healthful, so full of independence, is so little known.

I now set to work with more spirit and hope than ever. That winter the spaces of leisure at the baize-covered shelf and the hours after the shop was closed were spent in hard study, and when the next examination of the Society of Arts was held in 1857 I was first prizeman in English History, and had a certificate in Political Economy.

The year 1858 brought its examination and its success. In that year the University of Oxford resolved to hold examinations open to those who were not members of the University, and to confer the new title of Associate in Arts.

Directly the date and subjects were announced I set to work, and for several months devoted my studies to this examination.

I was to be examined at Oxford, and when the time came my father took me there and found lodging for me at the Maidenhead Hotel, Turl Street. What a glorious time it was for a London boy! The colleges and gardens and libraries were all open to candidates. Dr. Sewell of New (I did not see him afterwards until forty-four years later when I went to Oxford to enter my younger son at Magdalen and found him Master of his old college) was the prime-mover in the new scheme and its indefatigable secretary, and Professor Donkin entertained us at a soirée at the Bodleian. There were three or four days of examination, and then I went home and waited anxiously for the result. It was a success beyond all expectation.

One morning the list was in the paper, and a letter came at the same time to tell me that I was first in order of merit in the first division, and so had the honour of being the first Associate in Arts of the University of Oxford.

I rushed over to the old school, and the eyes of my dear old teacher filled with joy as he pressed my hand; and then I asked for a half-holiday for the school, and the boys shouted and rattled the covers of their desks, and another step in my career was won.

But that year was a momentous one to me in another respect. I met and fell in love with the girl who afterwards became my wife. It happened in this wise. The members of the evening classes used to have an annual excursion. We usually went to the Rye House, Broxbourne, but in this year we chose Hampton Court. My friend, Tom Howard, whom I have mentioned as one of the three prizemen in 1856, brought with him two cousins, Annie and Fanny Mitchell. From the former, somewhat I fear to his annoyance, I could not keep away. We wandered through the rooms and gardens of Hampton Court Palace; we dined at the Castle Hotel at Molesey and danced in the garden behind the house. I thought (and I think now) that I had

never seen any one so lovable and so sweet. She was very pretty, with dark hair and beautiful dark brown eyes, a serious, thoughtful face, lighting up into radiant smiles; tiny hands and feet; her figure small and trim; her carriage easy and graceful; her voice low and musical; her dancing perfect.

As the evening drew on some one suggested that we should walk beside the river on the Palace side to Kingston and there take train to London. I remember that walk as if it were yesterday. For me the stars had never shone so brightly, the river had never looked so sweet. But at Kingston there was dismay. No one of us had known exactly how far from Kingston Bridge the station was. We hurried when we thought our time was short, but without avail. When we reached the station the last train was gone. We had to club together our remaining funds and find a flyman who would drive us to London.

The girls were frightened, and I think Howard and I were rather nervous as to what would happen, but we reached home soon after midnight and found our people, who had been sending from house to house for news, so relieved at our safety that they were not inclined to scold.

As we drove home that night, there came into my mind the thought that my life would be a happy one if I could gain Anne Mitchell for my wife.

That thought was never dispossessed or even disturbed. There were difficulties and some estrangements. When we met I was only seventeen, while she was three years older, and at that age the difference looked serious.

But that day gave me "the noblest master under heaven — the maiden passion for a maid," and from that day no love for another entered my heart.

Thenceforward her sweet face shone through all my hopes and ambitions. Before I was nineteen I was engaged to her, and seven years later I found in the happiness of marriage the reward and justification of my long faithfulness.

In that autumn a great change took place in the home

life. The lease of the house at King William Street came to an end, and the owner asked a rent nearly double what my father had been paying. The business could not support such a burden, so a lease was taken of No. 38 (now No. 71) Moorgate Street, where the fact that the first floor was let to a solicitor brought the rent within a reasonable figure. So in September the change was made. It was a pain to leave the home in which our happy childhood had been spent, but to me the change was very welcome. Henceforth it would not be necessary for me to sleep in the shop.

To sleep in a bedroom, where I could study at night, and where I had my books, and where my eyes did not open every morning to the occupation and association which were least congenial to me, was a delight no one could measure who had not gone through my experience of the last ten years. One evening in September the stock in King William Street, amazingly small in bulk, was put on a hand cart, and my father and I walked beside it up to Moorgate Street. There all was ready ; some new stock had been got in, and next morning we were in the new shop, hoping that the old customers would follow and new ones soon be found.

But I was not long there. Gradually my dear father had been reconciling himself to the inevitable separation.

It was clear that I should not always stay in the trivial labours and possibilities of the shop. So he had become somewhat resigned to the idea that he would soon lose me, and that he must look forward to finding his partner and successor in my youngest brother. Of my other brother Joseph I shall have something to say by and by.

Now at the very moment that I needed it one of the strange and unlooked-for opportunities of my life displayed itself. I had won a prize at the first examination of the Society of Arts ; I had become the first Associate in Arts at the first Oxford middle-class examination ; now for the first time an open examination was to be held for some Government clerkships.

Lord Stanley was Secretary of State for India, and he offered eight writerships in the India Office for competition.

The salary was £80, but there were allowances and extras which would probably raise it to £150. When the applications came in the authorities were alarmed.

Seven hundred candidates offered themselves. Of these three hundred withdrew before the day of examination, but four hundred were actually examined at Willis's Rooms. I had been working my hardest. There was no question now of the claims of the shop. Those were set aside, and for two months I was at work from eight in the morning to twelve at night. The whole family tried to help me. There was a little book called *A Guide to English History*. It was crammed with dates. All the chief events in every reign were very briefly stated, and at the end of each reign there was a list of the notable men who flourished in it with the dates of their birth and death. I knew that book by heart from cover to cover. My sister Fanny used to examine me in it, and before the day of trial I was master of every date.

No other such examination has ever been seen. In the great ballroom at Willis's Rooms the four hundred candidates sat each at a separate desk.

Inspectors were walking round to see that there was no copying and that no books were used.

In the music gallery stood a group of examiners, and if any candidate wanted to ask a question he had to stand up and call out his number and an inspector would take his papers.

It was a great relief when the strain was over, but there was a month of anxiety before I heard that I had been successful and had taken the seventh place on the list. The winners were allowed to take up extra subjects, and I was examined and got certificates in English History and Political Economy.

When I went to the Office of the Civil Service Commissioners for this purpose I was told some particulars of the examination. It had cost about £900.

The limits of the age being wide, seventeen to twenty-five, a good many graduates of Oxford and Cambridge and

London had come forward, and there were a dozen or so of schoolmasters among the candidates.

In the English Literature paper we had been asked to translate Hamlet's soliloquy into prose.

An examiner told me that more than a dozen of the competitors had explained the phrase "When he himself might his quietus make with a bare bodkin" to mean that it was foolish of Hamlet to trouble himself so much when he might earn a decent living by tailoring.

Now that I had succeeded in so hard and so public a competition the home was joyful indeed.

The dear father was not quite consoled. It was not unimportant that I should be able in future to contribute to the cost of the household, but after having me with him daily for four years, I do not wonder that he thought the shop would be dull and lonely; but he bore up bravely, and my days as a silversmith and jeweller were over.

A party was given to celebrate the event. Robert Pottle and his sisters were there. Tom Howard brought his two cousins, and my father and mother saw Annie Mitchell for the first time.

CHAPTER V

LITERATURE, POLITICS, AND LAW: 1850–1860

THERE is a part of my life, and that of chief importance, which cannot be dealt with in a chronological record of events. It is the history of influences rather than of events, a history which must be told if the story of my life is to be complete, and which would be frittered away if I tried to interweave it with the narrative which is found in other chapters of this book. I speak of the growth of those inclinations and tastes for literature and politics and law which began to colour my thoughts and dictate my occupations at a very early age, and which were gradually, and during the course of some years, strengthening their hold upon me until they determined the course and objects of my life. In every young life there is a period in which the mind and still more the moral character is in its most sensitive and receptive condition; when books and friendships and the example of others have their strongest and most abiding influence; when the intellect and the soul are still soft enough to receive, and are yet firm enough to retain, the impressions which harden into habits of thought and action. That period varies in length with different natures and with some begins very early. I think that with me it was from the age of ten to the age of twenty, and it was my happy fortune that these ten years of my life coincided with one of the most notable periods in the literary history of this country. The years from 1850 to 1860 were the golden decade of modern English Literature. During the reigns of George IV and William IV and in the early years of Victoria there had been a marked falling off in our imaginative literature both in poetry and prose.

Keats died in 1821, Shelley in 1822, Byron in 1824. Sir Walter Scott lived until 1832, but he wrote no poetry of importance after 1815; and although Wordsworth did not die until 1850 the same may be said of him.

During the twenty years which followed the most prominent names in poetry were those of Mrs. Norton, Thomas Hood, and Talfourd, and although each of them left us some fine poetry, neither could be placed in the first rank.

Again in fiction there had been no great production.

Jane Austen died in 1817; and Scott wrote nothing worthy of his powers after *Quentin Durward* in 1823.

There had indeed in the interval appeared the chief works of two most remarkable men, whose literary fame would have been greater if their lives had not been so largely devoted to public affairs. They were Edward Bulwer Lytton and Benjamin Disraeli. There was the great distinction between them that while Bulwer Lytton was a novelist who took to politics, Disraeli was a politician who in his youth, and in the occasional leisure of his later life, sketched the lighter side and the picturesque aspects of the political struggle.

Bulwer Lytton did not take seriously to politics until he was nearly fifty years old, and by that time he had distinguished himself in four distinct styles of fiction—the historic, the natural, the sentimental, and the mystic. *Rienzi*, 1835, *The Caxtons*, 1848, *Ernest Maltravers*, 1837, and *Zanoni*, 1842, stand at the head of the different groups. All are produced by an artist who stands aloof from all the characters he creates, and studies only to give to his work artistic completeness and finish.

But every early work of Disraeli is the expression of a bright, eager soul devoted to the study of all the complex problems of political society, and striving to set forth in the scenes and studies of fiction the principles which were afterwards applied with magnificent results to the conduct of public affairs. And considered only as works of art the great trilogy of *Coningsby*, *Sybil*, and *Tancred* stand very high in our literature.

To me they were very early a delight and an education; and my earliest inclinations for political work, the desire for power in public affairs which seized me early and has always dominated my life, only to meet with repeated and final disappointment, was gained by me from the great teacher who has been the constant guide of my public action, and the only political leader I have ever known to whom I would at any time have submitted myself in the firm conviction that where I could not agree with him in opinion he was so far more likely to be right that obedience to his judgement would be the wisest exercise of my own.

The opening of the second half of the nineteenth century found us with a group of writers who were nearing, or had but lately reached, that age of thirty-seven which marks the attainment of the highest level of the faculties of man. Alfred Tennyson was 41; Mrs. Gaskell 40; Thackeray 39; Browning and Charles Dickens 38; Charles Reade 36; Anthony Trollope 35; Charlotte Brontë 34; Froude 32; George Eliot, Charles Kingsley, and John Ruskin 31.

Carlyle, Macaulay, Bulwer Lytton, Disraeli, and Mrs. Browning were seniors; Matthew Arnold, Coventry Patmore, Wilkie Collins, and George Meredith had just reached manhood; Robert Lytton was a youth of eighteen.

These were the writers by whose works my boyhood was trained and inspired; and during the ten years when I was most receptive there poured forth from the Press a series of works, almost every one of which I remember to have read soon after its publication.

It is well to give a list, for there has been no other such period in all the long history of our literature.

1850. *Pendennis, In Memoriam, Christmas Eve and Easter Day, Alton Locke.*
1851. *Life of Sterling, Stones of Venice, Yeast.*
1852. *Esmond, Peg Woffington, Ode to Duke of Wellington.*
1853. *Hypatia, Bleak House, Ruth, My Novel, Tamerton Church Tower.*
1854. *The Newcomes, Hard Times, The Angel in the House.*

1855. *Maud, Men and Women, Westward Ho, The Virginians,* Macaulay's *History,* Vols. III & IV, *The Warden, Clytemnestra.*

1856. Froude's *History,* Vols. I & II, *Scenes of Clerical Life, Little Dorrit.*

1857. *Two Years Ago, Aurora Leigh, The Dead Secret.*

1858. *Andromeda, What will he do with it?* Froude's *History,* Vols. III & IV.

1859. *Idylls of the King, Adam Bede, Tale of Two Cities, The Ordeal of Richard Feverel.*

Of these thirty-seven works it is not too much to say that at least twenty have taken their places among the masterpieces of our literature, and that during the half-century which has tested and confirmed their claim no one of these twenty has in its own class been excelled. It was good to be living in those days. How well I remember the excitement month by month of seeing the green-covered parts in which the works of Dickens appeared, and the yellow covers which Thackeray had adopted for his; and the tumult in Paternoster Row when Longman gave out to the trade the two volumes of Macaulay's *History.* Those happy years when my young intellect had not been harnessed and bound to a political party or a professional calling, when the novel and the poem and the history were like the varied flowers of a great garden in which it was my privilege to walk, were years of intense enjoyment. The joy of breathing such an atmosphere, of living with such friends, who year by year were filling my young mind with incidents having as essential truth in the histories we call fiction, as in the fiction we call history, and with noble thoughts, whose beauty of literary form kept them in the mind, so that memory was always sounding the strong, pure note to which all one's thoughts and hopes and aspirations became as by nature attuned.

There has been much in my life that has been poor and trivial, and little worthy of one to whom this treasure and delight was given, but it would have been weaker and poorer

by far if I had not in those days of receptive boyhood had round me the influences of this noble literature.

It gave me, of course, the desire to be myself an author.

During the second year of my stay at the Edmonton Boarding-school, I arranged with another young boy that we would issue a monthly magazine, which I was to write and he to illustrate, to circulate in the school among subscribers who were, I think, to pay their subscriptions in steel pens. Before I was fifteen I had written a play in five acts called *The Serf* (not, I need hardly say, the play of that name which was afterwards produced at the Olympic and acted by Kate Terry and Henry Neville) and sent it to my good friend William Creswick, one of the lessees of the Surrey Theatre. He returned it as unsuitable, and I destroyed the manuscript, and never again attempted the drama. Then later came the *Journal of the Evening Classes* of which I speak elsewhere, and my association with *The Morning Herald* and *Standard* and with Henry Morley and *The Examiner*. Indeed while I was a student at Lincoln's Inn some of my friends advised me to turn to literature as a calling, and not risk the doubtful and heavy labours of the Bar.

I remember a little consultation at J. M. Ludlow's chambers at 3, Old Square, where Vernon and Godfrey Lushington, and, I think, Tom Hughes, were present and F. J. Furnivall tried to persuade me to take up the profession of letters, and told me how he had been at the Bar over ten years and had never made enough to pay the laundress for keeping his chambers tidy. Had I taken his advice I should probably have been better able to write a life, but there would have been no life of my own worth writing. The first definite impression made upon me by literature which had reference to the future work of my life was political. *Coningsby* and *Sybil* together made me a politician. *Coningsby* set me among the great actors on the political stage; and gave me hope that there I might some day play my part. *Sybil*, dealing as it does with the noblest principles and loftiest aims of political action, purified that hope from the mere desire for personal success

and display and reward, and filled me with a worthier ambition. The key-note of *Sybil* is to be found in the sentences which close the fourteenth chapter, where the writer declared that the Tory party in a parliamentary sense was dead (and this was true in 1845 as it was true in 1906), but that it "still lived in the thought and sentiment and consecrated memory of the English nation," and foretold that it "would yet rise from the tomb to bring back strength to the Crown, liberty to the subject, and to announce that Power has only one duty, to secure the social welfare of the People."

The last words I spoke in the House of Commons may stand as proof that the teachings of my great master were not forgotten or obscured in fifty years of strenuous life.

I hope that the Tory party will regain its influence, for I believe its principles are an important and even essential part of our national life. And I trust our leaders will recognise that when we are anxious to extend the area of our trade and gain for ourselves Imperial renown, we must never forget that the first duty of a statesman is to the poorest of the people, and that to every statesman worthy of the name the welfare of the people is the highest law.[1]

I have no doubt that it was *Coningsby* which prompted my choice of the first book I ever bought with my own money. That was Brougham's *Lives of the Statesmen of the Reign of George III.* I well remember having a present of five shillings given me, and going off to a bookseller's shop in Holborn to give 4*s.* 6*d.* for three little volumes, still in my possession, which contain the best literary work which that strange genius ever produced.

I had only left school six months when I went to my first political meeting. The scandalous mismanagement by the War Office in the early stages of the Crimean War called into existence the Administrative Reform Association, which soon became very powerful.

A meeting was announced to be held at Drury Lane

[1] March 12th, 1906, *Hansard*, 4th Series, 153, 1048. *Selected Speeches*, 16.

Theatre on June 23rd, 1855, at which Charles Dickens would speak. I went to the office of the Association, where the Post Office now is in King William Street, to ask for a ticket. I was thin and small for my age, and the secretary called some of the Committee from their room, and they looked with amused curiosity at their youngest recruit.

But I got my ticket, and struggled in the crowd up the gallery stairs, and saw a meeting which I think I have never seen equalled for intense and angry enthusiasm. Dickens had never before spoken on a political platform, and had an extraordinary reception and an extraordinary success.

An attractive presence, a melodious and penetrating voice, gestures restrained but effective, gave force to a speech elaborately prepared and full of brilliant phrases. Palmerston was the "comic old gentleman." Speaking of the attacks made by the soldiers in the House of Commons upon Austen Henry Layard—"Assyrian Layard" as he was called—he said that "whereas in Spain the bull rushes at the scarlet, in England the scarlet rushes at the bull." I quote the closing passage—"Gentlemen, centuries ago, before arithmetic was invented, our national accounts were kept by cutting notches upon bits of wood called Exchequer tallies. The years passed by. Cocker was born and died; Walkinghame was born and died; and at last some adventurous genius suggested that it would be as well to keep our accounts with pen and paper. After much resistance and much gloomy foreboding of evil the change was made. But what was to be done with the tallies? It would be contrary to the traditions of the public service to put them to any useful purpose, so they were packed away under the Houses of Parliament. Presently a flue was overheated, there was plenty of wood in the Exchequer tallies to carry on the fire, and the Houses of Parliament were burned down. The national architect was called in, and a new palace was built. We are now in the second million of its cost, the national pig has not yet got over the stile, and the little old woman Britannia will not go home to-night."

It was on April 29th, 1856, that I first saw the House of Commons. I dare say Mr. John Masterman, whose bank was in Nicholas Lane and who was a customer and friend of my father, gave me an order, and I heard a debate upon the siege of Kars, in which Layard and Sir Seymour Fitzgerald took part.

Next year there was a far more interesting and important incident, for on March 19th, 1857, I got into a crowded room at the London Tavern, Bishopsgate Street, where Lord John Russell was addressing an election meeting.

Mr. Raikes Currie had been brought from Northampton by the Liberals who wished to oust Lord John from the representation of the City because he had joined the coalition of Conservatives and Manchester Radicals, who had carried a vote of censure upon the Palmerston government for going to war with China.

It was at this meeting that Lord John Russell described his opponent as "a young man from the country," a phrase which was used as a line of a popular comic song, and was a catchword for many years. I stood at the door to see Lord John come out, and was rejoiced to find that he was but little taller than myself. There had indeed been some slight disturbance at the meeting, for the assembled electors wanted to see their candidate as well as to hear him, and were not satisfied until his little lordship was persuaded to stand on a chair and so remedy his deficiency in height. In the street the ballad sellers were singing and selling a doggerel ballad the chorus of which ran something like this:

> They know me at Tavistock, Bandon and Thetford,
> They know me at Stroud, and South Devon and Retford;
> I'm the dear little son of the old Duke of Bedford,
> I'm little finality John.

I have very little doubt that as I went back to the shop I had already in my mind the thought that I might some day be myself member for the City of London. The hope never left me; and it was splendidly fulfilled forty-nine years later when 16,019 citizens (57 per cent. of the whole number of the electors) voted for me and gave me the

highest honour of my whole life, by making me the senior member for the greatest city in the world, by the largest vote which had ever been given to a candidate in that constituency.

At that time, to any one but myself the dream would have seemed absurd. But to me the only real question was how I should begin the journey, and the names of Brougham and Lyndhurst suggested the way. It was not money I was thinking of then or at any time. I had no idea of the enormous rewards which, as I now know, are given to the successful advocate; but my ambition looked to a career of public life, the membership of one of the legislative chambers, and the sharing in the councils of a great political party.

Nor did I then realise how delightful, how full of intellectual interest, how rich in the pleasantest of surroundings and companionship, the profession of the law in its more favoured branch would be.

All I knew was that the Bar was the only road by which I could hope to make my way into political life at an age when my ideals and energies would still be fresh.

The way looked difficult, but that was a reason for beginning at once. In another chapter I tell the story of my studies and examinations, but there are a few other parts of my preparation of which I must speak here. Public speaking, not merely the preparation of speeches, but the habit of speaking in large rooms, and to audiences of different characters, was obviously essential. So in the year 1858 I offered to deliver one of a series of Thursday evening lectures at Crosby Hall. I lectured on Joan of Arc, and spoke for more than an hour without using any notes. It seems to me now that it was rather a daring attempt for a boy of seventeen, but on the whole it was successful.

There were two criticisms upon it. My dear mother was, I think, rather proud of the feat, but she complained of a constant hesitation of speech which made her nervous from sentence to sentence lest I should break down. The other criticism came from a fellow student who was a great

musician, one D. C. Stevens, who soon afterwards went to South Africa and became one of the Pioneers of the Rand. He told me my voice was harsh and unmusical, and advised me to take to singing. I followed his advice, and for some years was a constant attendant at a choral society. I have no doubt I gained much advantage thereby. It is only by singing that one learns to use easily different tones in speaking, and so avoids the painful monotony which in Court or Church so often encourages sleep.

The hesitation could only be cured by practice, so for several years I sought opportunities of delivering lectures in all sorts of places and on very different subjects. Mary Queen of Scots; Sir Walter Scott; Independence; Dean Swift and Lord Bolingbroke were, with Joan of Arc and Richard Neville the Last of the Barons, my favourite subjects, and a steady persistence in this practice quite cured my nervous hesitation.

My hopes of some day getting to the Bar were much strengthened by the accidental discovery that some studentships existed which seemed exactly adapted to meet my case.

On the steep slope of Holborn which ran down to the bottom of Snow Hill, where now the Holborn Viaduct crosses the valley, there used to be some second-hand book shops, with open trays, and, loitering at one of these, I picked up a volume containing the history of Lincoln's Inn by one Spilsbury, the librarian of the Society. Turning over the leaves I came upon a statement that one Christopher Tancred of Whixley Hall, Yorkshire, had bequeathed large funds for the founding of twelve studentships, four in Divinity, four in Physic, and four in Law.

He had been a bencher of Lincoln's Inn, and his will prescribed that the students in law should be between eighteen and twenty-three years of age, unmarried and members of the Church of England, and that they should declare that they intended to practise in the Common Law Courts but were unable without help of this nature to obtain the needful education. This seemed the very thing for me, and I went back to my studies in high spirits, feeling quite sure that

when the time came I should have the assistance of Christopher Tancred in making my difficult way to the Bar.

This chapter, in which I have dwelt upon the influences which during the years from 1850 to 1860 were moulding my character and determining my career, may fitly close with a description of an incident which set, as it were, a seal on both.

In 1860 Lord Lyndhurst still lived, the Nestor of politics, and I heard one day that he was expected to speak in the House of Lords. So I wrote to Lord Derby to ask for admission to the debate, and there came back a letter franked by him and containing an order, and on May 21st I was early in the Gallery of the House. On the back of the front bench on the right of the Woolsack a rail had been built, and presently Lord Lyndhurst, received with every mark of affectionate respect, came to his place. I remember little of the debate, but no one could forget the scene while he was speaking. He had reached eighty-eight years of age that day; he could not stand unaided, so the rail had been built for him, and folding his arms across his chest he hung upon it while he spoke. But the voice was full and resonant, the argument was closely reasoned, and the perfectly turned sentences were rhythmical and pointed. Soon after the speech was finished he left the House, and the scene was a curious one. In *Kenelm Chillingly* Lord Lytton advises a young man to take at an early age to a thirty-five years' old wig, because he will be able to wear that at any age. Lyndhurst had done that, and the worn and deep-lined face looked out from under brown curling locks, and he left the chamber hanging on the arm of Lord Ellenborough, the great Governor-General of India, whose lion-like head with its splendid sweep of snow-white hair made a strange contrast.

The Peers rose from their seats and cheered with unwonted vehemence as he passed among them, and I saw to what a height of public dignity and regard it was possible for a barrister to rise without the help of ancestral renown or family influence.

CHAPTER VI

THE INDIA HOUSE : 1859–1860

It was in February 1859, just after my eighteenth birthday, that I entered on my duties at the old East India House in Leadenhall Street which was associated with so much of the history and growth of our Indian Empire ; the house from which Clive had set forth in 1743 ; the house to which Warren Hastings had returned in 1785 from his great proconsulship, when he was the hero of the day, and had not yet been made the object of a political attack. In the examination I had done particularly well in arithmetic, and I had taken certain extra certificates, so I was given my choice of the department in which I would serve ; and I chose the Accountants' branch. This was housed on the first floor of the building, and I was placed at a pleasant desk close to a large window overlooking the central courtyard of the house. Quite close to me was the desk which had been occupied thirty-five years before by Charles Lamb, about whose kindly and genial nature and shockingly unbusinesslike habits my colleagues who had known him had many a story to tell. The porters used to make many half-crowns by showing to American visitors a chair which they declared, quite untruly, to have been that which he sat in, and by selling the very last quill pen which had been preserved of those which he had used.

My work was easy, but quite mechanical and monotonous. It consisted for the most part in copying draft minutes and letters and in copying into a large ledger the pay warrants which had been drawn up in another part of the office.

The entry to be made was like this :

Name.	Pay.	Widows' Fund.	Orphan Allowance.	Amount.
Smith, Lt.-Col. R.	150	7.10	3.15	138.15

Forty-two of these entries went upon the page, and then the leaf was turned over and forty-two more were begun.

It seemed almost a humiliation, after working for months and passing a great examination which was to mark the opening of the Civil Service to men of exceptional ability, to be set down to a task which any fairly taught lad of fifteen could have done as well as I, but my new position had a compensation which made me quite content.

I soon found out not only that in the ordinary hours of work, ten o'clock to four, I could earn an income of at least £150 a year, but that there was no objection to my working overtime and so making a very large addition to this amount. My immediate superior was a Mr. Charles Davis, an excellent clerk, but a rather rough and not very good-tempered man, whom I mention here only for the sake of quoting a thing which he once said to me and which I have always usefully remembered. I have an impression that he told me that the great Duke of Wellington was the author. I had made some excuse for a fault of which he complained, and he said, "A man who is good at excuses is never good at anything else."

The head of the room, a very kind old gentleman named Waghorn, who had been retired from the East India Company's service in 1834 and then reappointed, and since that date had enjoyed a substantial pension and a substantial salary, was much annoyed when he happened to hear that I was attending classes in the evening, and gave me a solemn lecture on the duty of giving all my energies to the Government which employed me and so on; but he soon became my very good friend, and encouraged me to do as much as I could of the extra work, for which he had to initial my book.

I used to go to the office at nine and stay until five or half-past five, and the overtime pay which I was able to earn during these hours came to no less than £100 in a year. I had good reason to be content. At this rate I could help my parents with a substantial payment for living at home, and three or four years would be sufficient to set aside the

money I wanted for my education for the Bar. And I was young enough to make the delay of three or four years seem quite unimportant. I knew I needed at least that time to equip myself with knowledge which I had so far had no opportunity of acquiring. I was thinking especially of the classical languages.

I carried in my mind the firm resolve to become a Tancred student, and I knew that the Latin language and certain Latin authors were the chief subjects of that examination. So I determined to give myself to these studies; and leaving the classes at Crosby Hall, which were of a commercial character, I became a matriculated student at the evening classes lately opened at King's College in the Strand. A matriculated student had to attend four classes besides the divinity lectures, so I close two easy subjects, English Literature, taught by Henry Morley, and English History, taught by Henry Wace (now Dean of Canterbury), and the classes in Greek and Latin to which I meant to give almost all my work. The Greek I gave up at the end of a single term. It was not difficult, and of course I soon mastered the simpler parts of the grammar, but I was quite satisfied that it would be of no practical use to me, and I have never seen reason to regret having given it up. Latin, of course, I was obliged to learn, so I continued the study with a diligence which if it had been kept up for the three or four years for which I was planning would, I dare say, have given me a fair knowledge of the language and might, indeed, have enabled me to do what most of our university graduates cannot do—that is, read it with sufficient ease to enjoy the literary beauties of the classic authors.

Before I pass away from the subject of King's College I must mention a friendship made there which was of great value to me. Henry Morley, the lecturer on English Literature, was one of the most delightful and one of the noblest souled men who ever lived.

Of his works I need not speak. His history of English literature is by far the best book of its kind in our language. He was among the first to procure the issue of the best

books at prices so low that nearly half a century of improvement and competition has not reduced them. A man of fine presence, fair haired and fresh complexioned; strong, alert, cheerful; his blue-grey eyes lighting with love and humour, or flashing with anger at any story of meanness or of fraud; brave as a lion, gentle as a woman, he fought hard for truth and justice, careless of toil or obloquy, or of the sordid considerations which so often cramp the energies and corrupt the souls of some of the best among us. He was one whose friendship was so delightful a privilege that I have been thankful all my life for having been brought under his influence. If in my own life there have been times when voices of self-interest have tempted me to be unfaithful to the truth as I saw it, the inspiration of the teaching and example of Henry Morley have, I trust and believe, helped me to keep to the path of duty. He gave me his kindest friendship. I used (often with John George Watts, another of his pupils at King's College, who lived at Brunswick Square, Camberwell, and was a fish salesman at Billingsgate Market, a man of fine literary taste and himself a writer of some pleasant poetry) to go and spend a Sunday evening now and then with him at Upper Park Road, Hampstead, and there saw the vision of perfect domestic happiness, and enjoyed a companionship which could not fail to elevate and teach.

I think that Henry Morley's interest in me was increased by the fact of my having become at the age of seventeen the editor of a regular monthly magazine.

The *Journal of the Evening Classes for Young Men* made its appearance in January 1850, and was published by W. H. Collingridge, the founder of the "City Press." It was a sixteen-page magazine, and one half of its space was to be filled by contributions from the members of the classes, who elected two editors to conduct the work. My colleague, F. W. Reynolds, did absolutely nothing except sign the address by which we introduced ourselves to our readers and that in which twelve months later we said our words of farewell. For the venture was not a success.

I quote from the December number :

Over and over again the time for sending copy to the printer has come, and no essays have been received. We have been compelled often, amid the pressure of other engagements, to write matter for the space ; and it has only been by the constant courtesy of the publisher that the journal has appeared at its proper time.

Thus, from necessity, and not by any means from choice, more than half of the literary matter has been written by one hand. " Tom Brown," " George Guy," " E. D. Ward," and " E. G. C." are but different signatures of the same writer ; and it must be remembered, in excuse for many shortcomings, that these essays were many of them written under the most unfavourable circumstances, and in so much haste that we were often obliged to send them to the printer without a single reperusal.

The contributions thus referred to were of a varied character. A life of Burke ; a biography in five chapters of Charlotte Brontë ; two essays upon modern English poetry ; an article on " Matters and Men " ; two sketches descriptive of my walks from Eastbourne to Hastings and from Hastings to Rye ; two obituary notices of Henry Hallam and W. H. Prescott, and two short specimens of very feeble verse, were my contributions during the year. I am puzzled now to understand how I could find time for all this work. For my classes at King's College and my editorial labours did not represent all my occupations of this kind. I was diligently attending the debating society at Crosby Hall, where I was the accepted leader of the Conservative party, a young solicitor's clerk, one W. R. Stevens, who was really a brilliant speaker, being the leader of the Liberals.

And I delivered a few lectures. In the autumn I delivered a lecture at Crosby Hall on " The Last of the Barons," which cost me a good deal of labour.

And although it is but a trifle I should like to add that in September an elocutionary entertainment was given at Crosby Hall by three members of the classes. One was

John Millard, a teacher of elocution, whose daughter Evelyn has since become a brilliant and successful actress; one was William Barlow, a friend and companion of J. L. Toole at the Walworth Institution; and I was the third.

It seems a good deal to have been done by a lad of eighteen, who had to spend three evenings a week at King's College, and who was at the time busily engaged in the pleasant art of love-making.

For I was paying diligent court to Annie Mitchell, who lived with her grandmother, Mrs. Platt, at Peckham. Once a week I would leave the India Office early, to take Tilling's omnibus which went to Peckham by way of the Peckham Park Road, and generally take some flowers to the dear girl, who would usually be sitting at work at the window. These evenings with poetry and music and song, and to me the delight of a first love, brightened all the week.

But how was I to make myself secure that they would continue? The disparity of age which afterwards seemed wholly to disappear was then a real and very obvious barrier; it seemed absurd for me, a boy of eighteen, to ask a young woman of twenty-one to pledge herself to share a future which my own obstinate ambition rendered as uncertain as any future could be. But not to speak was almost to invite another to speak, perhaps to win, that for which I longed; so I ventured all and asked her to promise to be my wife. In November 1859 we were engaged.

That engagement did not last long. When I took the news home my father laughed, and I think my mother cried. It seemed to them a folly; and unkind things were unwisely said, and not easily forgotten.

My dear girl was, I am sure, attacked in the same way, and it was harder for her to bear. A few weeks afterwards she withdrew her promise, but I persevered, and three months later our mutual pledges were again exchanged. For three years our engagement, now and then threatened, yet remained unbroken.

Pressure was put on me in the spring of 1860, not by Annie herself, but by her grandmother, to give up my

quixotic idea of throwing up the India House employment. Not much was said about it, for I believe the old lady thought that long before I had saved the money I used to talk of I should be tired of waiting, and that loving Annie as she knew I did I should marry her, instead of risking her future as well as my own by throwing away the certainty of a sufficient income, easily earned and sure to increase.

How far her forecast would have proved to be right I cannot tell, for in 1860 circumstances occurred which solved the question.

In the summer of that year preparations were being made for removal from the India House to new buildings which were being put up at Whitehall, and one of these preparations was a reorganisation of the staff. About a dozen of the least valuable of the clerks in the different departments were privately told that their services were likely to be dispensed with upon terms of pension which were certainly not illiberal. But these clerks knew very well how difficult it would be for them, after spending years in the enervating atmosphere of a Government office, to turn to another employment, and the place was filled with their complaints and bemoanings. I saw my opportunity. One day I went to the room of Mr. Sandoz, the Auditor-General, who was dealing with the matter of reorganisation, and asked to see him. I told him I was about to go away for my annual holiday, and wished to know before I went if my name was likely to be on the list of those who were to leave. He laughed, and told me I might have spared myself the trouble of coming to see him. "You did not think," said he, "that we were going to get rid of our competition men when it costs us so much to get them."

"No," said I, "I did not think so, but I thought you might like to know that if I were put down to leave on the lowest terms of compensation, a gratuity of one year's earnings, I at least should not complain as others are doing."

He became serious at once, and asked if I really meant this. Assured that I did he asked me to see him again

after my holiday, and meanwhile not to say a word to any one as to what had passed between us. So it happened that when a few weeks afterwards the definite announcement of retirements was made my colleagues at the office and my friends outside were astonished to find my name on the list. In October 1860 I left the India House after a service of only twenty months with a compensation gratuity of £253.

CHAPTER VII

THE LAW STUDENT: 1861–1864

THE leaving the India House was the decisive act of my life, and in doing it I felt very lonely. There was no one who approved. The woman who loved me best and had the greatest belief in me—my mother—my sisters and my future wife, hoped, but hoped very doubtingly, while all others remonstrated, or avoided the subject and shrugged shoulders of contempt or pity. I had no doubt at all. To me it seemed that I had been the most fortunate of men. In the course of these twenty months I had saved about £180, which, with the £253 given me for leaving, made up the sum which I had thought of as enough to carry me through my studies for the Bar, if I should get, as I felt sure I should, one of those Tancred studentships, which, as I before said, I looked upon as intended by Providence for my special benefit. The first thing to do was to ascertain exactly what the examination would be. I went to see the clerk to the Tancred Trustees, Mr. Bartle Frere, a solicitor of high standing in his profession, and told him my story. He was interested, and gave me all the information he could; and I have a suspicion that later on his good offices helped to secure my election. I ascertained that there would be a studentship vacant at the following Whitsuntide, and that the chief subjects of examination would be Roman law, certain books of Quintilian and Cicero, and two books of Blackstone's *Commentaries*. In the Quintilian and Cicero were my chief difficulties. I had reckoned on having four years for the study of Latin, and in fact had only had five terms of about twelve lessons

each at King's College, and of course my knowledge came very far short of what was required for such an examination. It looked very likely that I should fail in this respect, and that I should have to wait another year or two before I could fit myself for the competition. But I set to work at once. I bought the books in which I should be examined, and went to a private tutor who was strongly recommended to me by Mr. Charles Mackenzie.

The choice was not a happy one. He was, no doubt, a good scholar, but he was a strange and unmethodical person, much given to spiritualism, and not very apt at imparting knowledge. But I struggled on, and worked hard at the prescribed books of Blackstone, which I believe I almost learned by heart, only to have the mortification of finding when the examination took place that my labour had been absolutely wasted, as not a single question was put to us upon the subject.

The date of the examination approached, and I had not nearly gone through the Cicero and Quintilian. So in desperation I bought Bohn's translation, and trusting to a memory which had never yet failed me, I read over the translation so carefully and so often that I believe I could reproduce it for any passage of the original which might be put before me. It was the very worst style of cramming, and I was heartily ashamed of it, but indeed I had no choice.

In due time I went to Christ's College, Cambridge, where about twenty candidates were examined. I felt that I did not do well, and in the viva voce I got into trouble with the examiners over the word "imperium," to which I erroneously gave the meaning which it has with the Primrose League, and not that which it had with the Romans and with Lord Beaconsfield. If the grant of the studentship had depended simply upon the examination I believe I should have failed, for the Trinity Hall men who were in (Francillon the novelist among them) cannot all of them have known less Latin than I did.

But other influences were at work on my behalf. My kind old friend Dr. Thomas Allen of Brighton tried to

interest Sir Thomas Watson, who, as President of the College of Physicians, was one of the Trustees, in my favour, and may have succeeded. But the most important help came from the Society of Arts. Mr. Harry Chester had not forgotten my prize takings in 1856 and 1857, and a resolution passed by the Council of the Society and signed by him as Chairman was sent to the Trustees asking them to elect me to the studentship. They did so, and on June 4th, 1861, I paid my £30 of fees, no caution money was required, and was entered as a Student of Lincoln's Inn.

The Tancred Studentship secured me an income of £95 a year for the three years which must elapse before my call to the Bar, and for three years afterwards.

I was delighted to know that my days (or I should rather say my years) of examinations were over. There was then no examination required for call to the Bar, so I had no need to trouble any more about Latin.

I have never opened a Latin book since, and I never found the slightest inconvenience from the scantiness of my acquaintance with the language.

So far so good. But I wanted more money yet in order to keep myself comfortably, and another source of income naturally suggested itself. This was journalism. To explain how I attempted this I must go back a little. I said that the time spent in working at English law had been absolutely wasted.

So far as the examination was concerned this was true. But part of that preparation was indirectly of the greatest value to me. I had been attracted by the announcement that lectures on Constitutional Law were delivered at the Working Men's College at Great Ormond Street by Mr. Thomas Randall Bennett, barrister-at-law. I joined the class, and was soon on terms of friendship with the lecturer. He was a somewhat remarkable man.

A barrister of long standing and great ability, he was debarred from appearing in court by a curvature of the spine which much deformed him; but he had a considerable practice in advising and drawing pleadings and attend-

ing Judge's chambers, and he always had good pupils in his chambers. He took great interest in me, and used to talk to me when his lecture was over, and was greatly delighted at my election to the Tancred Studentship.

I mentioned to him one day my wish to obtain employment on a newspaper, and he told me he knew Mr. James Johnstone, who owned *The Morning Herald* and *Standard*, and offered to give me an introduction to him, suggesting that I should write a leading article on some public question, and send it for Mr. Johnstone to consider. So I wrote an article on public education, then, as always, a matter of newspaper controversy, and Mr. Bennett enclosed it in a letter to Mr. Johnstone. The result was a request to call at the office in Shoe Lane. I went and had a long talk with Mr. Johnstone and with Captain Thomas Hamber, the editor, and I came away from the interview with a permanent engagement to write reviews of books for the two newspapers, averaging four columns a week, at a weekly salary of two guineas. This was in August 1862. I began my duties at once, and for three years I regularly contributed on those terms, and wrote more than half of the literary matter which appeared in these papers. Now I felt that my course was clear. I settled down with much contentment to work that was far more congenial than the monotonous ledgers of the India House. I was regular in attendance at lectures and classes, and read a great deal at the library, and occasionally by way of relaxation went into the Chancery Court (for the Common Law Courts were too far away) and listened to the speeches of Cairns and Palmer and Mellish and Rolt.

Resolved that the newspaper work should not interfere with my legal studies, I laid down a rule for myself which was seldom broken that I would not do it until after seven o'clock in the evening. But the course of legal education is (or at all events was) very easy, and had many holidays, so there was plenty of time for another study to which I now seriously devoted myself.

It was the study of rhetoric; an art so valuable, indeed

so essential to the advocate who wishes to be something more than a desultory prattler, that one would think no pressure would be needed to induce the Inns of Court to teach it or to induce students to learn and practise it. But there is no teaching at the Inns ; the benchers for the most part never studied it themselves and have managed to get on without it ; and I have found students so well satisfied with their own capacity for saying whatever they want to say, that I have almost invariably failed to persuade them to acquire one of the pleasantest, and certainly the best paid of the arts. I was determined that if I failed to become a great speaker it should not be from want of trying, so I embarked on a systematic course of study. Whately, Aristotle, Quintilian, and Cicero (the classic authors of course in translation) were my teachers, and I studied the speeches of great orators—especially Erskine and Plunket—to find in them examples and illustrations of the rules laid down in the books. With the same purpose I became a regular attendant at the debates of the " Hardwicke Society," the best debating society I have ever known.

It used to meet in a back room at Dick's Coffee House, and the attendance was then only from fifteen to twenty. But among the regular attendants and frequent speakers were some notable men. Leonard Courtney, Frederic Harrison, Montague Cookson, and Vernon and Godfrey Lushington, were very often there, and Giffard and Herschell and Charles Russell came occasionally.

I was the Honorary Secretary of the Society for four years (1865–8) and then President (the first, for until then the senior member of committee present took the chair) for three years, and I have never ceased to try to persuade students and young barristers not to neglect the advantages which such a society offers.

My eldest son was Secretary in 1898, and President in 1899 ; I dedicated to the Society my volume of forensic speeches, and in 1904 the Society did me the honour of making me the chief guest at its annual dinner in honour of my completing forty years of practice at the Bar.

There was yet another means of education in public speaking, and I did not neglect it.

From my boyhood the great attraction of the Bar to me was not that it would be a pleasant and, I hoped, a profitable occupation, but that it was the only road by which I could make my way into the House of Commons.

So I wanted as early as possible to become familiar with the atmosphere of the House, and I wished there to study the styles and methods of the great masters of debate. My friend Henry Morley was then editor of *The Examiner*, a weekly paper which was published every Saturday morning, and I asked him to try to get me an order for the reporters' gallery. There was no great reason for his having one, for it was only occasionally that a late debate on a Friday night could usefully be reported in his paper.

But he thought he would like a representative in the gallery, so with some trouble he persuaded Colonel Taylor to obtain an order admitting me every Thursday and Friday. I had this privilege for several years, and made the most of this great opportunity of study. I was almost always there on Thursday evening, patiently watching the debate, practising my shorthand, although it very seldom happened that I had occasion to take full notes of a speech, always listening to the speeches of the leading men as lessons by which I might thereafter profit.

So having abandoned the learning of a superfluous language I supplied its place by a study much more pleasant and ten times more profitable; the more profitable, indeed, because so few took the trouble to engage in it.

My time would now seem to have been fully occupied. Mornings and afternoons I was busy at classes or lectures, or reading in the library, sometimes law, sometimes logic and rhetoric. In term time I almost always dined in Hall, for there the dinner was good and very cheap. On Thursday evening I was at the House of Commons, and on Friday at the Hardwicke, and afterwards went to the House of Commons in order to take up to *The Examiner* office in Windmill Street, if any important debate was on, the latest news

of the discussion and division. On Wednesday and on every Sunday I was at Gloucester Cottages, and on three nights of the week, of which Saturday was always one, I worked from seven or eight in the evening until two or three in the morning, reading and reviewing the books which came from Shoe Lane, where I attended every Friday afternoon to receive my two guineas and sign the salaries book.

It would seem these occupations were sufficient, but in 1862 I took up another piece of work for which, during several years, I managed to find a good deal of time.

In that year the Association for the Promotion of Social Science held its annual conference at the Guildhall, and I read a paper, afterwards published in the *Transactions*, upon Evening Classes for Young Men. As an outcome of the discussion which then took place a small meeting was held at Waterloo Place on June 14th, 1862,[1] Lord Brougham presiding, at which it was resolved to establish a society whose object should be to bring together in a central and controlling organisation the existing Mechanics' Institutions and Workmen's Clubs, and to aid in establishing other clubs upon the pattern which should be found most popular and effective. The Rev. T. Rylance, a Church of England clergyman, the Rev. H. Solly, a Unitarian, who called himself an English Presbyterian, and the Rev. David Thomas, a distinguished Wesleyan Methodist, were the active founders of the Society, which was called the Working Men's Club and Institute Union, and which by 1912 had grown into a useful and powerful organisation having 480,000 members and 1,500 affiliated clubs.

I was at the meeting at Waterloo Place, was a member of the provisional committee, and became the first Honorary Secretary of the Union.

With Lord Lyttelton as our President, a great deal of good work was done, and my first experience in addressing public meetings was gained when I accompanied Mr. Solly to various parts of London and certain towns in the country

[1] On June 14th, 1912, I spoke at the Jubilee Dinner of the Union, being the only survivor of the founders.

and spoke to large meetings of working men. It is a pleasant recollection for me that at Willis's Rooms in 1865 I spoke at a meeting where Lord Brougham presided, and heard the veteran of eighty-seven say very kind things about his young supporter of twenty-four.

My work was going on pleasantly, and I was content and happy, when in 1863 my hopes of the future were suddenly and heavily clouded. I had taken my betrothed to some readings at St. Dunstan's schoolroom, where I read Tennyson's "Enoch Arden." She was greatly touched by it, and so I lent her the finest prose version of that story that has ever been written, *Sylvia's Lovers*, by Mrs. Gaskell. She read it, and when next I saw her after she had done so she told me she could not love me as a wife should love, and begged me to release her from her promise. I have no doubt that she had long been urged by her grandmother to take this step. The old lady was sorely troubled at my having given up the certain income of the India House for what seemed the very doubtful chances of a profession. As she one day said to me, getting briefs was like picking up sovereigns on the pavement in Fleet Street—you might happen to find them, but then you might not. And poor Annie had not, I think, much sympathy from her sister and her friends. I was not a favourite with girls. I am told that I was conceited and sarcastic, and no doubt ambition is selfish in its methods if not in its intentions.

Still I do not believe she would have broken off the engagement if I had not had a rival in her recollections of a young sailor to whom her first girlish love had been given. I believe his name was Frederick Day, but I am not sure.

He was never at any time, before or after marriage, mentioned between us. But I have no doubt that in her mind he was identified with the Charlie Kinraid in Mrs. Gaskell's story, and that I represented the much less attractive Philip Hepburn, and that her declaration to me was the honest confession of a love which was not wholly dead, and which the reading of that most touching story had revived. So we parted. But I refused to be defeated by

the shadow of a bygone day. I went back to my work with an aching heart, but in the circumstances which had brought about my disappointment I found consolation and some ground of hope. I had not been ousted by a rival who might as soon as I was gone step in and take possession. The sailor lover might not still be living; it was unlikely that he would come back. And the thoughts of him which my reading and the loan of the book had unfortunately revived might guard her heart against another even more strongly than against myself. At all events, she knew that I loved her. The time might yet come when that faithful and unwavering love would claim and receive its reward.

"Time and I against any two," I would still wait.

The years of study were nearly half gone. There was, as I have said, no examination to pass, but it was necessary that I should spend a year as pupil in a barrister's chambers. Here again my staunch friend Mr. Bennett helped me. Of course I was anxious that the year should be spent with him.

I had money enough to pay the regulation fee of one hundred guineas, and offered to do so, but he would not hear of it, and gave me the qualifying year without taking any fee at all. That year was a delightful experience. The other pupils were Montagu Corry (afterwards Lord Rowton), Evelyn Ashley, whom I met much later in political life, and a certain Paul Panton of whom I know nothing but his name.

In the back room of the chambers was a former pupil lately called to the Bar, and making a good beginning on the Oxford circuit, a famous cricketer and one of the handsomest and most genial of good fellows, the late Counsel to the Speaker, Chandos Leigh.

He was the life and soul of the place; Ashley was a quiet student; Corry did not study at all, but came late and not very regularly, and amused himself by putting the births, deaths, and marriages of *The Times* into doggerel verse.

I had managed to learn a good deal of law, and was, I

think, rather helpful to my kind friend, and he was more than kind to me, taking pains to direct me in my work and help me with it, and teaching me the delightful science of pleading, of which he was a master.

His clients were for the most part of good professional standing, but one of them from whom many cases came was a solicitor named Leverson, who was afterwards convicted of fraud and struck off the rolls. The clerk who often brought papers from him was Charles Bradlaugh.

I was very grateful to Mr. Bennett for the help thus given, and some years afterwards when I was taking pupils I took without fee a young student who was not very well off, on condition that he in his turn should do the same. He gained success and some distinction at the Bar, and kept his undertaking, and I believe the series of free pupils thus started is still continued.

My call to the Bar was to take place in Michaelmas Term, 1864, but it was nearly being delayed by a curious accident. It was required that the student desiring to be called should appear before the benchers at a council held a few days before the call day. On the day fixed for this council I went to my room at Moorgate Street in the early afternoon to rest. I had been at work very late the night before, and lying down on the bed I went to sleep, and woke to find that it was within five minutes of the time I should be at Lincoln's Inn. In great alarm, for not only would my call be postponed, but the postponement might involve the forfeiture of my Tancred Studentship, which was held on the condition that the student should be called on the earliest date possible under the rules of the Inn. I rushed downstairs, found a hansom, and drove as fast as I could to Lincoln's Inn. There, as I feared, I found the business was over, the steward, Mr. Doyle, had gone away with his books and the Council had broken up. I asked what benchers were still there, and among the names mentioned was that of Sir Fitzroy Kelly. I sent in my name and asked to speak with him. He came out and heard my story, and then taking me back with him into the room asked the benchers

there to recall the steward and have my name entered as having kept the introduction. Not content with this, he took me with him to another room and had a long talk with me about the Tancred Studentship and other matters, and in after-years he remembered to my advantage the interview which had been so strangely brought about.

All the requirements were now fulfilled, and on November 17th, 1864, the dream of my boyhood was fulfilled and I became a barrister of Lincoln's Inn.

CHAPTER VIII

SOME LIGHTER RECOLLECTIONS

I CAME very early to be a lover of the theatre. My mother disliked it on religious grounds and would not go, but she used to take great pains with my reading, and was very fond of hearing me recite poetry. My father was very fond of the theatre, and my great treat when I was home for the holidays from my school at Edmonton was to be taken by him to see Charles Kean and his wife in one of Shakespeare's plays at the Princess's Theatre in Oxford Street.

The accident that the teacher of elocution at College House had been an actor, and that he took a special interest in me, did much to foster my own inclinations, and reading Shakespeare and reciting dialogues with my teacher formed the favourite amusement of my schoolboy days.

It was at the breaking-up entertainment at Edmonton in December 1851 that I, not quite eleven years of age, recited Othello's "Address to the Senate," and confessed that it was true "that I had stole away the old man's daughter; true I had married her."

Then came, as I have before related, the City Commercial School in Lombard Street, where this particular bent of mine found everything to encourage it. Our dear old headmaster, William Pinches, was a great lover of poetry and the drama, and every year the boys gave an elocutionary entertainment at Sussex Hall, Leadenhall Street, the preparation for which was to him the greatest enjoyment of the year.

The teaching of elocution went on throughout the year, but when the boys reassembled after the autumn holiday it

became a very serious matter indeed. The selection of poems and dialogues for recitation, the testing of the many aspirants for places in the programme, the many rehearsals to ensure accurate memory and easy gesture on the night of performance—these kept the school in a pleasant state of excitement. And the honour of being chosen to speak the closing verses was, I think, the most coveted of our school distinctions. It was the competition for this which provoked the ambition of Henry Irving, and his admirable elocution was in large measure owing to the careful and sympathetic training he received at the City Commercial School.

One of my school-fellows was nephew of a Mr. George Behr, who kept the George Hotel which gave its name to the yard where that school stood, and we two boys were occasionally taken to Sadler's Wells Theatre, where Phelps was then in the midst of a management which was very memorable in the annals of the English stage. He was himself a fine actor, admirable in elocution, dignified in bearing, impressive in tragedy and delightful in comedy, very pathetic as Lear, and with true humour in Sir Pertinax McSycophant. With him was Henry Marston, sadly handicapped by an unpleasantly harsh voice, but a fine actor, the best Ghost in *Hamlet* I ever saw, and with the exception of Henry Irving the best Iago. Mrs. Charles Young as Desdemona was delightful.

During the two years 1853 and 1854 I went now and then to the Princess's, and there I saw the notable revival of *Henry VIII*, which was quite equal in the beauty and completeness of its staging to the famous Lyceum production many years later. Wolsey and Louis XI were to my thinking Charles Kean's best parts; Mrs. Charles Kean with less force and less personal beauty than Ellen Terry had more of queenly dignity and of pathetic grace. Ryder, a fine elocutionist, made a noble Buckingham, while Cooper as Griffith showed how much a good actor can make of a small part.

I was a favourite with my schoolmaster and was admitted

to his private friendship, and so I became acquainted with his sons. One of them about my own age, Edward Ewen Pinches, who would I feel sure have distinguished himself at the Bar if he had not had the fatal good fortune of marrying a rich wife, was my closest and dearest friend for sixty years. His elder brother, Conrad, who published an excellent book on Elocution, kept a school called Clarendon House in the Lambeth Road, and at one of the elocutionary entertainments there William Creswick, then in joint management of the Surrey Theatre with William Sheppard, saw me and I think took a fancy to me. He put me on the free-list of the Surrey Theatre, and for a year or two I occasionally found my way to the Blackfriars Road when I could be spared from the shop before the closing hour.

Creswick ("Uncle Bill" his professional associates used to call him) was an actor quite worthy to be remembered with Phelps and Kean. His opportunities were fewer, for the Old Surrey was much given to transpontine melodrama (*The Orange Girl* was one of its greatest successes), but there was occasionally a Shakespearean Season, and I well remember one fortnight when *Julius Cæsar* was presented, and Phelps and Creswick alternated the parts of Brutus and Cassius. Phelps was at his best as Brutus. Antony (then considered an inferior part) was very well played by a young actor named Verner, who died shortly afterwards in a London hospital.

(Creswick's health failed, and he went some time later on a tour in Australia, which did him good financially as well as physically. When he was coming home some one told Byron that Creswick was coming back a new man. "Good heavens," said Byron, "you don't say so. I hope he is not coming back Sheppard.")

My next theatrical recollections are of a very different kind. At sixteen or seventeen fancies lightly turn to thoughts of love, and I fell deeply in love, as hundreds of others were doing then and for many years afterwards, with the quite too utterly delightful Marie Wilton. I used

to gaze upon her from the pit, and once I left a bouquet at the stage door in Surrey Street, and I dare say left a letter with it. But nothing came of it, and nearly thirty years passed by before I had the pleasure of knowing her. But I can almost see her now as she came on the stage in *The Miller and his Men*, dragging her master's portmanteau. In top hat, short skirted coat, white breeches and top boots she was the smartest, sweetest little tiger ever seen. One night in the eighties I had to take her in to dinner at Lady Jeune's. Something was said ; I think she asked a question about my memory or about my liking for poetry. So I said in an undertone :

" Oh, I wish I'd never left my mother's extremely humble but remarkably virtuous roof ever to become a wife.

" But the longest lane has a turning, and the best of friends must part, and so must the worst of enemies, and marriage is only for life.

" So I suppose I must put up with the kicks and the cuffs and the insults and the punches on the head suitable to my sad situation,

" Till poison or something of the kind puts an end to the broken-hearted Ravina, or I can sneak out on the quiet and get an economical but strictly legal separation."

She laughed, and I then confessed my early devotion, and we had a chat about the old times when she and Patty Oliver, and John Clarke, and Rogers the broken-hearted Ravina, were the quartette which made the fame and fortune of the little theatre in the Strand.

It seemed with me that all roads led to the theatre. In 1859 I went to the evening classes at King's College and joined the English Literature Class taught by Henry Morley, who was a great dramatic critic.

He was very friendly towards me, and from time to time would ask me to go with him to a first performance. And he took me with him one evening to Westland Marston's house at Primrose Hill. Here every Sunday evening there was a very pleasant informal gathering of literary and theatrical people.

From eight o'clock onward those who enjoyed the privilege of a standing invitation came dropping in. Cigars were on the table; presently sandwiches and decanters of whisky were set out. Guests came and went without ceremony, and the host, himself a delightful man of letters, led and stimulated a conversation which was always interesting and often brilliant. There I met Mrs. Lynn Linton, a woman of extraordinary intellectual gifts. There too began an acquaintance with Moy Thomas which grew to something closer than acquaintance and lasted many years. And I think it was there I first met Hain Friswell, at whose house in Russell Street, Bloomsbury Square, I afterwards met Henry Irving, and began the friendly intimacy with him which lasted till his death. But to me the most attractive person at these gatherings was the gentle son of the house, the blind poet Philip Bourke Marston, whose early death silenced a music which was steadily growing in strength and beauty.

One evening I went to the house rather early, and found sitting before the fire with her hair loose upon her shoulders the most beautiful woman I had ever seen. It was Adelaide Neilson, who was then the leading lady in Westland Marston's play of *Life for Life* at the Adelphi Theatre. I dislike superlatives, but I will leave this standing. Mrs. Stirling told me that Mary Anderson was the most beautiful woman she had ever seen on the stage. W. S. Gilbert said the same thing of Julia Neilson. But both admitted to me that Adelaide Neilson was not unworthy to be put in comparison with either.

I met Adelaide Neilson several times in later years, waltzed with her when her husband brought her to the Scottish Ball, and had the pleasure of rendering her some little service with my advice in a legal matter. She was in all respects a delightful person.

For several years my time was so filled with work that I hardly ever went to the theatre, but soon after I left the India House I made the acquaintance of another very charming actress—Nellie Farren. A friend of mine who

was in some way interested in the Victoria Theatre took me there one evening and we went behind the scenes. Nellie Farren was then "Singing Chambermaid" in the regular company. She lived with her mother in Richmond Road, Barnsbury, where they kept a little school, and Nellie, who had a very small salary, used to walk to and from the theatre in the Waterloo Road; sometimes, when rehearsals were on, twice in the day.

One night she consented to my seeing her home, and we went through the New Cut to the Blackfriars Road and turned up towards the bridge. As we came near it an elderly man who was sitting on a doorstep got up and touched his hat and said, "Good-night, miss." "Good-night," said Nellie. "I shall not want you to-night." We walked on, and when we came to Smithfield two young men were waiting at a street corner. She bade them good-night and said, "I have escort to-night, you see, so I shall not want you." Then she explained that every night these three waited for her, and walked behind her to see that she was not molested. The elder man followed as far as Smithfield, and the young men saw her safe to her own door. It was a chivalrous service freely rendered. The devotion of the young men of the Waterloo Road was somewhat embarrassing, for on Sunday afternoons they would make pilgrimages to Barnsbury and stand in a row opposite the house hoping to get a peep at her.

She was soon carried off to other scenes. Alfred and Horace Wigan were managing the Olympic, and Horace went round to the minor theatres to try to pick up talent. He found a prize in Nellie Farren, and soon she was appearing in the burlesque of *King Alfred*, where I remember her singing "Musty bread and fusty water, bag of straw to lie upon and pillow of rusty nails." I do not think she appeared with Robson in the burlesque of *The Merchant of Venice*, in which that wonderful little man used to play one scene, the lament for his daughter's flight, as tragedy, and showed the extraordinary range of his genius.

It was a little later than this that I made the acquaintance of another beautiful young actress, Ada Cavendish, whose first appearance was in the burlesque of *Ixion* at the Royalty Theatre in Dean Street, Soho. It is hardly correct to call her an actress, for at that time she could not act at all. She sang very little and could not dance. Her attraction was in her beauty of face and figure. She wore what was then thought a very daring costume, open at the side as high as the waist and revealing, as she moved somewhat awkwardly about the stage, a leg and thigh of surpassing beauty.

A fellow-student of mine at Lincoln's Inn had rooms at the top of the house at the north-east corner of Lincoln's Inn Fields, and my acquaintance with Ada Cavendish began at a supper he gave where she and Lydia Maitland, the Ixion of the play, were present. For some time I saw her pretty often. She lived over a shoemaker's shop in Queen Street, and I remember once going with her to tea with Lydia Thompson, who lodged in Henrietta Street, Covent Garden. She often lunched in the little back room of Creighton's, a pastrycook's shop in the Strand, close to the old office of *The Globe* newspaper, which was rather a meeting-place for actresses. There I made the acquaintance of Lydia Foote and little Miss Raynham. Ada Cavendish was a tall and handsome girl, and she told me, I believe quite truly, that Cavendish was her father's name. It was but a small salary that she got at the Royalty, and she lived very quietly and economically. But one day that I met her I noticed that she was unusually well dressed. She explained that her father had sent his steward to see her, and had arranged that in future she was to receive an allowance through him. Soon afterwards she came under the tuition of Sothern, and he made her a really fine actress. Her Mercy Merrick in *The New Magdalen* and Julie de Mortemar in *Richelieu* were very notable performances. After losing sight of her for many years I met her again at one of Irving's receptions at the Lyceum, and then I used occasionally to call and see her and her husband,

Marshall, who edited *The Irving Shakespeare,* at their house in Bloomsbury Square. An absolute loss of memory put an end to her career on the stage.

She was the last of that group of my theatrical acquaintances. I had spent many pleasant hours in their company, and there was not an hour that any one of us had reason to regret or be ashamed of.

CHAPTER IX

EARLY DAYS AT THE BAR: 1864–1866

My first business when I was a full-blown barrister was to put my name on a door in the Temple where briefs might find me. In my choice of chambers I was not very wise. I still slept and did my newspaper work at Moorgate Street, but since 1862, when I became an Associate of King's College, I had no classes to occupy my evenings, and after April 1863 I saw a great deal of the convivial side of student life in the Temple. There was very much more of this sixty years ago than there is to-day; a good many men lived in chambers, and wine parties were frequent. Every call day there would be two or three such parties, and students and young barristers wandered from one to another, everywhere welcome and everywhere noisy. It was a merry crowd, but very few of those who joined it made any position for themselves in later years. The young Irishmen were the life and soul of all these parties, and to them, almost without exception, the habits then formed were fatal. I could set down the names of eight young Irishmen, all of high promise, who were students, or barristers lately called, in 1863 and 1864, and who all were ruined by drink. I spent one long night sitting alone by the bedside of a man of brilliant gifts who was raving in the horrors of delirium tremens.

He, indeed, survived and went back to Ireland with shattered health to fill for a few years (he died long ago) a professorship at Trinity College; but the other seven simply disappeared. Richard Whitfield was not one of the seven, but his career was spoiled by these convivial habits. He

was a delightful companion, full of fun and humour, who could do almost anything except devote himself to continuous work. The kindest-hearted and most generous of men, he would spend or lend or give when he had money to do it with, but to keep a five-pound note by him for a week or two was quite beyond his power. I saw his likeness on the stage in my friend Edward Terry's delightful performance of Dick Phenyl, in *Sweet Lavender*.

He lived in rooms at the top of Number 3, Pump Court, and I paid him a few pounds for being allowed to put my name on the door, and to speak of a small boy, who used to cook eggs and bacon and make water hot for shaving and other purposes, as my clerk. I was not there long, for the rooms were too far up for business, and their general condition and appearance would not have inspired confidence in the most indulgent of clients. So I soon moved to very different quarters at 3, Garden Court, where in an excellent set of rooms on the ground-floor my dear friend Edward Pinches and I began a joint occupation of chambers which there and afterwards at 5, Essex Court and more lately at 2, Essex Court lasted for more than forty years.

But I did not spend much time at Chambers. When I read it was generally at Lincoln's Inn Library, but for the most part my days were spent in Court.

By a curious provision in the will of Christopher Tancred the students were required to become members of Lincoln's Inn, but to declare their intention of practising at the Common Law Bar. But apart from that obligation I should certainly have chosen the more active and public branch of legal work, and there was no question as to which circuit I should join.

I had, indeed, thought I should like to go the Western Circuit, partly from my family connection with Somersetshire, and partly because the names of Cockburn, Coleridge, and Karslake had made that circuit pre-eminent, but to do so would cost me £150 a year in circuit expenses, and that, of course, I could not afford. The Home Circuit and a London Sessions were clearly the proper places for a young

barrister with no money to spare, so I applied for admission to the mess of the Surrey Sessions which generally sat at Newington. I had an odd difficulty at first. My staunch friend W. R. Stevens was clerk in the office of Mr. Freeland, the solicitor to the South-Eastern Railway Company, and directly my call was announced in the papers he procured a small brief which he sent me to prosecute at the Surrey Sessions some servant of the Company who had been detected in theft.

I was not yet a member of the Sessions or of the Home Circuit. But the members of the Sessions Mess thought it would be too cruel to make me return my first brief, so within a week or two of my call I found myself conducting the earliest of my long series of criminal cases. The Surrey Sessions of that day was rather a curious place. There was a looseness of professional conduct and a violence and grossness of cross-examination and speech which would not now be tolerated. The leader of the Sessions Bar was a singular person. Samuel Lilley was an Oxford graduate of some distinction, who was, I believe, a good Hebrew scholar and had been meant for the clerical office. His brother the Rev. Isaac Lilley was rector of St. Chrysostom's, High Street, Peckham, the church where Mrs. Platt rented sittings in the very early days of my visits to the Peckham Park Road. But he turned to the Bar, and rather late in life obtained, by seniority rather than capacity, the lead of the Surrey Sessions. He had no clerk, and although his name was on a door in Middle Temple Lane he was seldom seen at the Temple. He lived at Peckham, and while his clients in criminal cases would generally seek him there, his most lucrative business, that of applying for or opposing the grant of new public-house licences, was negotiated at the beer-shop whose occupier was applying, or the public house which was opposing the application. He had a powerful voice, a stormy manner, and a ferocity in assailing an unfortunate witness which I have never seen equalled elsewhere. When I add the little detail that he always had a spare watch in his pocket in a little leather bag, and would

casually mention that he carried it for sale, I have completed the description. We were never on very friendly terms, for he was naturally jealous of any junior who threatened to interfere with his business, and he was not over-scrupulous in his methods of opposition. My principal friends at the Sessions were Morgan Howard, a very able man with whom there was a bond of sympathy, for he had come to the Bar from Henry Peek's tea warehouse in Eastcheap, and (a little later) my dear friend Douglas Straight, a brilliant advocate, the most genial of companions, and the most loyal of friends. He and I tried to make the Surrey Sessions pleasant for each other, and I think with much success.

It seemed to me that my best chance of getting work early would be at the Surrey Sessions, so I made it a rule to attend there regularly and stay in Court during the whole day whether I had a brief or not. When there was no sitting at Newington I would go in the same way to the Central Criminal Court. When that was not sitting I would, in the same regular way, attend the hearing of causes at Westminster Hall, going chiefly into the Courts where Common Jury cases were being tried.

One of my rules, and perhaps the most valuable (I have tried to observe it throughout my career), was to be in Court five minutes before the Judge took his seat.

At that day the practice was for leaders in the very front rank to take almost any brief that was offered, even with very small fees. At the very height of their great success Huddleston and Day would take ten-guinea or seven-guinea briefs, and would often have eight or ten cases in the day's list. They kept at work all day, and gave all the attention they could to the cases which seemed to want it most, but it was a thoroughly bad system, the labour of the Counsel was enormous, and the dissatisfaction of the suitor often very great. But one result of the system was that clients had to be careful in choosing juniors who could conduct the case, and another was that at the beginning of the day the clerks of these overworked Q.C.'s were going into Court looking for a trustworthy junior to take notes

for the great man to use if he should happen to come in. Often the leader would come in, snub the junior who was doing his best, dash into the middle of the case, ask a few trivial and generally mischievous questions, and then flourish out again to treat some other client in the same way in the next Court.

The modern practice of giving a leader a large fee upon the understanding that he will attend to the case throughout is obviously much better both for suitors and for the Bar.

My other rule was to take great pains with the handwriting of my notes. They were for another person to use, and their being easily read was as important as their being correct. I soon became known as a note-taker who could be trusted, and seldom sat unoccupied in Court. If there were nothing else to do I would take down the names of cases cited, and note the legal points made in speeches or in the summing up. Of course my shorthand was of great value.

At the Central Criminal Court my diligence was soon rewarded. One day a man was being tried before Mr. Justice Lush who had driven over and killed a child and was charged with manslaughter.

Serjeant Sleigh defended, and had for his junior, Daly, a man then in good business at the Criminal Bar, who was often glad to get some one to take notes for him. I was doing this, and in the course of the afternoon Daly slipped out of Court. Presently Sleigh asked a foolish question. He said to a witness who was describing the prisoner's driving, "Why, you must have thought he was drunk." "I am sure he was," said the witness, and Sleigh, furious at his own blunder, turned round to speak to Daly. I hastily explained that he had gone away, and Sleigh with an oath flung out of Court. Presently the speech for the defence had to be made, and neither Counsel was there. The Judge was very kind, asked me to address the jury, and bespoke for me their indulgent hearing.

I did my best, and the jury, after an hour or so of discussion, gave a verdict of not guilty.[1] At that time it was the

[1] *Reg.* v. *Gibson*, C.C. papers, 64, 552.

custom for the two Judges and some of the Counsel to dine with the Sheriffs in the large room at the Old Bailey at 5 o'clock on Wednesday, and I think on Friday. This was one of the dinner days, and the Sheriffs invited me. The Judges said complimentary and encouraging things, and so I was well started in my career in that great school of advocacy. I should like here to sketch the two men who at that time were the unquestioned leaders of the Criminal Bar, and to do so is not to break in upon the story of my life, because it was by watching their methods and studying the causes of their success that I trained myself for the work of later years.

William Ballantine, " the Serjeant," was a man of remarkable power. Rather over middle height, lean and hard, with the eye of a hawk. A voice capable of many tones, but with a curious drawl, half infirmity and half affectation. A man of slight legal knowledge, of idle and pleasure-loving habits, but an advocate of quite extraordinary skill. He could rise to great eloquence, but his great power was in his cross-examination, which was the most subtle and deadly that I ever heard. There was a great fascination about him ; whenever he was in Court he was the most conspicuous person there, and seemed by instinct to lead or coerce or dominate judge and witness and jury. His temper was violent, his humour bitter and sarcastic, but he was the most generous of leaders. Once at Kingston, before Sir Alexander Cockburn, in a South-Eastern Railway case which he had not read I was rather importunate in my suggestions, and he turned on me in Court with " Damn you, sir, am I conducting this case or are you ? " But before the trial was over he explained to the Jury that I had been right, and had only been reminding him of facts which he ought to have known.

I have often heard him when quoting cases mention his junior's name, and say he was indebted to his diligence. His career was finally spoiled by his visit to India to defend the Gaekwar of Baroda, and the latter part of his life was spent in exile at Boulogne, only being saved from poverty

by the allowance made him by his son, which was generously supplemented by six members of the Bar.

One of the six was his frequent opponent in Court, the other leader I wish to describe, Hardinge Giffard, a man of very different stamp. Short of stature, not distinguished in appearance or manner, with a voice which though loud and clear was somewhat harsh and had no persuasive tones in it, Giffard was by his industry (I am speaking of his early years in silk), by his great knowledge of law, his strong masculine sense, his indomitable courage, and his excellence in the art of arranging and narrating facts, one of the most formidable of advocates. His scrupulous and absolute fairness gave him great influence with juries, and his reply in a criminal case was always worthy of study and imitation. Closely associated with him as I was for many years I did not see much of him in private life after he became Lord Chancellor, but it was pleasant to see my old friend and companion develop into the greatest judge before whom I ever practised.

It was through his advice that I did not let slip my first opportunity of addressing a court in banc.

The opportunity came in a remarkable way!

Very soon after my call to the Bar, I think within a week or two, I heard that a debate was to be opened at the "Socials" debating society by a young Irishman named Hans Morrison, who had lately caused a great sensation in Dublin by the brilliancy and boldness of an address delivered to the Historical Society. The "Socials" was a popular debating society which met weekly at the Rainbow Tavern, and had a larger gathering than the Hardwicke, as it was not limited to members of the Inns of Court.

I did not belong to it, but a friend (I think Harry Atkinson, now Judge Atkinson) took me as a visitor.

There was a crowded room, but just at the time for beginning the debate a letter came to say that Morrison was unwell and could not attend. The subject announced was a speech on the Parliamentary Franchise which had been lately made by Mr. Gladstone, and was known as the "flesh

and blood" speech. The committee tried to find among their own members a substitute for the absent opener, and failing in this, asked me if I would open the debate. Stipulating for five minutes in which to arrange a few notes, I consented. The debate was well sustained, and Digby Seymour, then one of the most popular leaders at the Bar, spoke in the course of it, and said very kind things about me; and after my reply, which naturally was a good deal better than the opening, I went away well pleased with my evening.

It so happened that there was present a Mr. John P. Murrough, a London solicitor who had been for a short time Member of Parliament for Bridport. He stayed after the debate to sup with some friends, and declared that after what he had heard that night he would give to me the first junior brief he had at his disposal. That brief was an important one.

Charles Windsor, a cashier in a New York bank, had stolen a very large sum of money, and escaped with it to England, having managed to conceal the fraud by making false entries in the books of the bank.

A warrant was issued for his extradition on a charge of forgery, which was included in the Ashburton Treaty of 1842.

But a writ of habeas corpus was obtained, and the point was taken that this crime was not forgery, the false making of a writing which purported to be the writing of another person, and that it was not within the treaty. McMahon led for the prisoner, and Murrough, true to his word, sent me the junior brief. Giffard was on the other side. The case was argued on April 27th, 1865, before Lord Chief Justice Cockburn and Mr. Justice Blackburn and Mr. Justice Shee.

When McMahon had finished I thought he had said all that was needed, and told Giffard I did not propose to add anything.

"Nonsense," said he, "you give them an argument; it will do you good. You want the judges to know you, and you want to get used to hearing your own voice in the Courts." So I for the first time addressed the Court *in banc*. We succeeded, and Charles Windsor was released.

The delivery of this brief, although I did not know of what enormous importance to my career the case was destined to be, gave me great hope and confidence as to the future, and one way in which that confidence expressed itself was in a resolve again to approach Annie Mitchell.

For two years I had not seen her, but I had heard of her from time to time; that her life continued its uneventful course, that she was not married, and that it was not believed that any one had taken my place.

My own mind had never changed or wavered; and on Sunday, April 23rd, 1865, two years to the day since we parted, I went to Gloucester Cottages in the afternoon and asked to see her. She had gone with a friend, a Miss Jessopp, for a walk, which was a favourite one of hers, to the pretty country cemetery at Nunhead. I followed and found them, and then I walked back to her home; went with her in the evening, as of old, to Camden Church, and before we parted that night the cloud had passed away in a happy reconciliation; and from that day it was my happiness to enjoy for the sixteen years for which her life lasted her fond and unselfish and indulgent affection.

So there came back upon my life and character the strongest of all the influences which elevate and restrain—the habitual companionship of a pure and sweet woman and the contemplation of marriage with her. It had not been long enough withdrawn for me to fall into irreparable mischief. But it would have been better for me if it had never been withdrawn at all.

My life would have been better; my conscience clearer; my memories less clouded. I think a man should always marry before he is twenty-six years old; if his marriage is so late as that it is well for him if it be preceded by two or three years of betrothal.

It was about this time that I was relieved from the heavy burden of my work for *The Morning Herald* and *Standard*. I still held to my rule of never touching it until the evening, and the consequence was that I was often working far into the night, and was hardly fit for early attendance

at Court in the morning. And I had for some time felt aggrieved by the refusal of Mr. Johnstone to increase my weekly stipend. The concession made to me was that something less than four columns a week would be considered sufficient. But of course this arrangement was indefinite and not very satisfactory, and there was some occasional friction.

While I was hesitating to sacrifice an income so important to me an accident occurred which settled the question. One day in the parcel of books sent me for review there was a novel called *Blount Tempest*, by the Rev. John Montesquieu Bellew, a popular preacher, but noted rather as an elocutionist than as a divine. I thought the book was rubbish, and I said so in an article which was promptly sent back with an angry letter from Captain Hamber, the editor.

He said he had written specially to me to ask for a favourable review, as the author was a friend of his (I had not received any such letter), and asked me to write another notice. I replied as angrily, and absolutely refused to write anything but condemnation of what I thought a worthless book. Some severe criticisms of mine had not been published, but no attempt had ever been made before this time to interfere with the free expression of my opinion upon the works sent me for review. The natural result, not unwelcome to me, although I should have preferred its coming about in a more friendly fashion, was that I ceased to be a member of the staff of the newspapers.

The case of Charles Windsor now had a new development. The New York bank brought a civil action against him claiming the return of the moneys he had taken. I forget how it was that the proceedings in the action were expedited, but they must have been, for the case came into the list for trial before Lord Chief Justice Cockburn at the Guildhall of the City of London on July 12th, 1865. Very unusual circumstances combined to give me the opportunity I am now about to describe. The case did not come into the list until the last day but one of the London sittings, when some of the country circuits were beginning. And Parliament

had been dissolved on July 7th, and the borough elections were to begin on the 10th. I was third Counsel for the defendant, Edward James having the leading brief, and Patrick McMahon, an experienced junior, being second.

A few days before the case came on Edward James returned his brief to go and stand for Manchester.

Digby Seymour was put in his place. A day or two later Digby Seymour went away to fight Southampton. Serjeant O'Malley now became leader.

On the very day before the case came into the list O'Malley was called away to his work on circuit, and McMahon went over to Ireland to contest the seat at Wexford. So when on the morning of July 12th the case was called on, Sir John Karslake, Henry James, and Joseph Brown were there appearing for the plaintiffs, and I alone represented the defendant. I made an unavailing application for delay, and then the case went on. I did the best I could in cross-examining the witnesses, and at about half-past three in the afternoon the case for the plaintiffs closed. The Lord Chief Justice asked if I would like to address the jury, or have an adjournment to the next morning. "Whichever is most convenient to your Lordship." "No, Mr. Clarke," said he, "I want you to do just what you prefer." "Then, my Lord," I said, "I should like to put my case to the jury before they go away." He was delighted, and listened attentively to my speech, and once or twice interposed with encouraging and helpful comment. The next day I called witnesses and spoke again. I could not win the verdict, but Sir John Karslake in his reply complimented me on the ability I had displayed in the defence, saying that not only had I displayed great ability, but had also shown in a remarkable degree the qualities of courage and discretion. And Cockburn was generous in his praise.

There was another friend to me in Court more powerful than either Cockburn or Karslake—*The Times* reporter. William Finlaison ("Old Fin" as he was affectionately called) was the prince of reporters, and a lawyer of great

learning, and was always looking out for opportunities of helping any young Counsel who seemed to be doing his work well.

He reported in full the kind sayings of Judge and Counsel, and I found myself, only eight months after my call to the Bar, suddenly, and by this extraordinary series of unexpected events, brought prominently into professional and public notice.

Truly my speech at the "Socials" was having a great reward.

A few months later there was another notable extradition case, which naturally came to me.

The questions involved in the case of Charles Coppin were not of great importance, but again I was found arguing, this time before Lord Chelmsford, with Sir John Rolt (the Attorney-General) and Hannen against me, and again, though not successful in my contention, my position at the Bar was improved, and briefs came in with pleasant frequency. In my first year I earned one hundred guineas; and in my second just double that amount.

These two cases had made me very familiar with the law of extradition. I had not contented myself with looking up the authorities which required to be consulted in the cases, but had read much and made very copious notes upon the general subject of the surrender of criminals in ancient and modern times.

So I resolved to devote the greater part of the long vacation to writing a little book on Extradition.

I had much encouragement from Messrs. Stevens & Haynes, who agreed to publish it and to give me £50 for the copyright of the first edition. So I set to work at the Lincoln's Inn Library, and in six weeks completed the manuscript. I felt myself handsomely paid by the £50, but I did not know how much the book would bring me in credit and in fees. A second edition was wanted in 1874, a third came out in 1888, and a fourth in 1903, and I can count at least half-a-dozen interesting and important cases which came to me because I was known as the author of this work.

I was now fairly sure of the modest income upon which we could venture to marry, and we had begun to talk of our plans when at the beginning of October Mrs. Platt died at the ripe age of ninety-two. The only difficulty, that of Annie's reluctance to leave her grandmother, had now disappeared; a sum of £200 which came to her as a legacy sufficed to refurnish the little house in which she wished still to live; and an income left to her of about £60 a year was a useful addition to what I was earning. So on the morning of December 29th, 1866, I left my room at Moorgate Street and drove over to St. Giles, Camberwell, where Annie Mitchell and I were married.

CHAPTER X

EARLY YEARS OF MARRIAGE: 1866–1873

We went down to Hastings on our wedding-day and stayed until Monday at the Queen's Hotel. But that was much too expensive to be our home for more than a couple of days, and we took two rooms in a tiny little house in the older part of Hastings, and there spent the fortnight which we allowed ourselves for our honeymoon.

Coming back to town we found out little home looking fresh and bright, and found my father putting on the drawing-room mantel-shelf his wedding gift, one of my old shop friends, an ormolu clock, which, with new red chenille round the glass, was for years the brightest ornament in the house. In this dear little home we spent seven years of happy wedded life. It was indeed very small; there were only seven rooms, and £33 a year was the modest rent; but it was not too small to hold a great deal of happiness. The Peckham Park Road was not then a mere lane through a wilderness of bricks and mortar. Number 12, Gloucester Cottages, was a neat little semi-detached cottage, with its long garden at the back, and a grass-covered enclosure in front. A fine jasmine flourished on the front walls.

"Oh! the faint sweet smell of that jasmine flower," it seems to have scented my whole life; and from the windows one looked over a few acres of market gardens which stretched away southwards towards the Old Kent Road. We had only one servant, but we had books and music, and when I came home to tea and to a long evening in the dear companionship to which I had looked forward for nine years, I was as happy as it was possible for a man to be.

One evening in the week we gave to the Choral Society (where, by the by, Rose Hersee was a fellow member); on Saturday evening there was a whist party and bread-and-cheese supper at the house of some member of our little friendly whist club; and now and then we went to the theatre, or to a concert, or walked by pleasant country lanes to the Crystal Palace at Sydenham. Of course there had to be very strict economy. I gave the wife £2 10s. a week for housekeeping, and not much was spent in dress, or wine, or travelling. I used to walk to the Temple and back unless the weather quite forbade it, and my midday meal was not costly, though it had to be substantial. Had I been brought up in the easy life of abundant means I dare say I should have felt this enforced economy to be a hardship; as it was, with health, and love, and ambition, and the feeling that every month was seeing some progress made, some burden being lightened, some little pleasure or comfort added to one's surroundings, I was thoroughly happy. I always look upon that early marriage, narrow as our means were, as the wisest act for which I ever made myself responsible.

I kept up my attendance at the Hardwicke Society; and I still went from time to time to the House of Commons, but my order of admission was not renewed after the Session of 1867.

So the summer of 1867 passed. My business was gradually increasing. My accounts for 1866 had shown a booking of fees to an amount of 240 guineas, but I do not think I received them all; at all events, they were not paid directly they were earned. One addition to my various interests may be mentioned. In the course of my work with Working Men's Clubs I had often been told that one very serious difficulty for working men was that the local tradesmen insisted as far as they could upon the wives taking credit. If a new customer came to the shop they would beg her to let them send in a weekly bill. The bill would not be sent, the wife would spend the money on something else, and when there was a debt for two or three weeks' supplies the

poor woman dared not grumble or go elsewhere, and had to take what the tradesman liked to supply, and very much at his own prices, because she could not face confessing to the husband how much she owed.

At Peckham the working men complained bitterly, so I started a co-operative society of which I was Treasurer and general organiser. There are lying before me as I write the book of rules and a copy of the notice which called a meeting for the purpose of establishing the Society.

For a time the Society was a success, but I soon found that the work and the troubles of the management were more than I could sustain, and a few months after I ceased to control it the Society came to an end. One of my great regrets is that I have never been able to do anything to put an end to the abominable system of imprisonment for small debts (and for small debts only) which disgraces our laws and is the cause of many mischiefs.

In the autumn of 1867 all seemed going well with us.

My fee book showed an increase; my dear little wife and I were in the best of health and as happy as a young husband and wife could be, and were looking forward to the event which would make the joy of our home complete; and in the Long Vacation we had a delightful holiday with some good friends at Petersfield.

All these bright hopes were suddenly clouded. One evening I returned to my home to find that the wife had been suddenly taken ill and had had a succession of alarming fits.

Her married cousin had been sent for and had summoned the doctor, and he, when I saw him, was in much anxiety. He suggested calling in a physician, and recommended a young doctor at St. Thomas's Hospital—Henry Gervis by name.

He came, and I then made the acquaintance of a man to whom I owe very much. He has been my friend ever since, and has attended my present wife in her many illnesses with a skill and tenderness and consideration for which he has our deepest gratitude.

Under his care the danger passed away, but the little son was born dead, and the dear mother had to spend many weeks with a nurse at Hastings before she could come back to home duties.

Dr. Gervis had only charged me three guineas for his attendance, though he spent many hours in the sick-room, but the expenses of this illness fell very heavily upon me, and at a time when I had no reserves to meet them. I was obliged for the first and only time in my life to borrow money. An old friend, Edward Martin (then, and now, of Ewell), lent me £30; and the need of asking for this was a very heavy trouble to me.

I had one great cause for anxiety in the fact that my life was not insured, and that my wife's £60 a year would be her only resource in case of my death.

It was not my fault that I had no insurance. In September 1866 when the date of our marriage was fixed, I proposed to the Scottish Widows' Fund to insure for £1,000, and went to the medical officer to be examined. The proposal was made at an unfortunate moment. The doctor who had for many years acted for the Society had lately died from a curious accident. He was pruning a fruit tree and the knife slipped and cut him so severely that the wound was fatal. Another doctor who desired to get the appointment was temporarily doing duty, and no doubt wished to show that he was careful by rejecting somebody. So to my great surprise I heard that my proposal was rejected.

I went at once to the chief physician at the Brompton Hospital, told him all the facts, and told him that although the date of my marriage was fixed for a fortnight later, nothing would induce me to go through with it if he found anything that could justify this refusal. He spent an hour in thorough examination, and then told me he could find nothing whatever which need give me the least hesitation in carrying out the marriage. The experience of fifty-seven years during which I have never suffered from any disease, and have been nine times passed by the medical examiners of Insurance Companies, and twice accepted on ordinary

terms by the Scottish Widows' Fund itself, has satisfied me that that rejection was nothing more than one of the few misfortunes of my life.

But during my first year of marriage the doubt which I could not shake off troubled me sorely.

I was not in debt. My earnings were sufficient for my ordinary needs. But I had no reserves, and no source of income except the fees which might or might not be forthcoming, and which would stop at once if my health were from any cause to fail. It was with a very heavy heart that I went down each Saturday in October and November to the dear invalid ; but her sweet courage and hopefulness and her returning health brought me back each Monday refreshed and strengthened. And the very heavy anxiety soon came to an end. By Christmas she was back at Peckham with all her old brightness. Those had been hours of darkness before the dawn of a long and prosperous day. Briefs came in more freely, and before 1868 was many months old I had repaid my friend the £30 he lent me, and had insured my life in the Crown Office (now the Law Union & Rock) for £1,000. Thenceforward I never had any money troubles. For forty years I was one of the richest men in the world. Every year my income was larger. Never did I spend in the year nearly as much as I earned ; so each Christmas found me with more provision made for my dear ones, partly by invested savings, and partly by the very best investment of all, the increase of my life insurances.

I may here state that during the forty years from 1868–1907 my fee books showed an average income over the whole period of more than ten thousand guineas a year.

In 1868 my fee book showed an income of £300. In 1869 the Cheltenham Election petition accounted for a rise to £650. In 1870 £540 gave me a satisfactory income ; 1871 brought me £840 ; and in 1872, my eighth year at the Bar, I reached the figure of £1,010. I have never measured the success of a year's work by the amount of money earned ; there are other and more important things to

consider: but the enjoyment and expectation of a constantly increasing income is a great assurance of mental repose and domestic comfort.

Until the year 1872 we continued to live at Gloucester Cottages. The home was certainly a very small one, but we wanted to feel quite safe before we made any great increase in our expenditure, and we both believed, what I am sure is the truth, that the best way of realising the pleasure of feeling rich is to live in a smaller house than your means would entitle you to have.

In 1868 a little girl was born to us, but she lived only a few months, but in 1870 a sweet little daughter, Mabel, came to be the joy of the household, and in 1872 our cup of happiness was filled by the birth of my dear son Percival.

This record of domestic life and professional advance has taken little space, but there is another part of my work of which fuller detail must be given.

CHAPTER XI

POLITICAL BEGINNINGS: 1867–1874

DURING the six years that passed between my leaving the India Office and my marriage, I had found very little time for direct political work. My days were spent at Lincoln's Inn Library, or, for one very hard-working year, at Mr. Bennett's chambers, or, after my call, in diligent attendance at the Courts and chiefly at the Old Bailey.

Attendance, as regular as I could manage, at the debates of the Hardwicke Society, and on Thursday and Friday evenings at the House of Commons, was my only means of preparing for the political career to which I always looked forward. But I had only just returned from my short honeymoon when I made an acquaintance which eventually led to my active association with the organisation of the Tory party. I cannot recall the exact date or place of my meeting with Henry Cecil Raikes, but it must have been in the very early days of 1867, and I think it was at a Hardwicke debate.

Tall and thin, with kindly smiling eyes, and soft deliberate voice, a poet and a scholar, he had already, though only just twenty-eight years of age, fought two contested elections and shown himself one of the ablest of the younger followers of Disraeli.

In 1865 he had unsuccessfully contested Chester against Mr. W. H. Gladstone, and had so freely assailed the conduct of his antagonist's father that the angry Prime Minister called him the "most impudent young man in England."

In 1866 he had fought without success a hard fight at Devonport.

Raikes like myself had been greatly influenced by Disraeli's writings, and by a very remarkable speech which was delivered on June 26th, 1863, and which has been hitherto strangely overlooked by the statesman's biographers, and still more strangely omitted from the reprints of his speeches.

The Tory leader had then laid down in striking language and with keen political instinct the main principles of his political faith. Raikes, shut out from the House of Commons by his defeat at Devonport, resolved to attempt the work of gathering into a single organisation the various Conservative and Constitutional Associations which were scattered over the country.

A Conservative Union existed, but in a very feeble and ineffectual condition; and with the sanction, perhaps at the suggestion, of Lord Nevill, afterwards the Earl of Abergavenny, who was for thirty years the least prominent but the most powerful of Mr. Disraeli's political supporters, he converted it into a strong central organisation.

He was so fortunate as to find in John Eldon Gorst a man whose qualities exactly fitted him to become his associate and fellow worker in this undertaking.

Gorst was the senior by three years; he came of a family one member of which had assumed the name of Lowndes on making a wealthy marriage; he had spent a few adventurous years in New Zealand; and had been returned to the House of Commons as member for Cambridge in 1866.

In the House Gorst had not distinguished himself. He had spoken little, and had become known chiefly through a phrase in one of Disraeli's speeches—"the Hon. Member for Cambridge who seems so proud of his extreme youth." The contrast between him and Raikes was personal as well as intellectual. Raikes was tall and graceful; Gorst was short, thick-set, bustling, abrupt. Raikes, a poet and a polished speaker; Gorst, incurably prosaic, with no pretensions to oratory, and a total lack of humour. But Raikes was a little indefinite in plan, and careless in detail; Gorst had a genius for organisation; was a keen judge of men, with an inflexible will, and an untiring diligence.

In later years he and Louis Jennings and Drummond Wolff created the political Randolph Churchill. Gorst was rough in manner, and a little later differences arose between him and Raikes, but when I first met them, early in 1867, they were the best of friends, and each supplied the qualities lacking in the other.

At their invitation I attended a meeting at the office of *The Imperial Review* in Henrietta Street, Covent Garden. This was a weekly paper which Raikes had just started, and which had a costly and unprosperous existence for about a year and a half. Here a provisional committee was formed, and we entered on the work of constructing a society which should be in close touch with the leaders of the Conservative party and with which we hoped every Conservative Association and Club throughout the country would be directly connected. Raikes, Gorst, W. T. Charley, A. G. Marten, W. C. Harvey, and I, all members of the Bar (and all I think, except Gorst and Marten, under thirty years of age), with Mr. Leonard Sedgwick, who became the first secretary of the new society, were the most diligent attendants at the early meetings.

In April *The Imperial Review* announced that a Conservative Working Men's Association for London and a "central organisation designed to secure unity of action among the numerous small bodies existing in the country" were in course of formation, and Harvey at his chambers in Lincoln's Inn acted as honorary secretary. On June 17th the first meeting of the Metropolitan Conservative Working Men's Association was held at the Mechanics' Institute at Southampton Buildings.

Ten days later a Conference of the Conservative and Constitutional Associations of Lancashire was held at Manchester to concert measures for the organisation of the party.

The autumn was spent in busy correspondence, and Raikes and Gorst travelled much and made many speeches. By November the preliminary arrangements were complete, and on the 12th of that month a conference of the delegates

from seventy associations was held at the Freemasons' Tavern, and the National Union of Conservative and Constitutional Associations was then established. Gorst (who presided at the conference) and Raikes were among the Vice-Presidents then elected. Viscount Holmesdale was appointed Chairman of the Council, and Raikes Vice-Chairman. Leonard Sedgwick, who was recommended by Lord Nevill, was made Hon. Secretary. On the evening of the same day a dinner was held at the Crystal Palace, and Lord John Manners, who presided, read a letter from Disraeli in which he said, "None are so interested in maintaining the institutions of the country as the working classes. The rich and the powerful will not find much difficulty under any circumstances in maintaining their rights, but the privileges of the people can only be defended and secured by national institutions."

The Imperial Review of November 23rd contained the first advertisement of the new organisation.

> The National Union has for its object the forming a centre [*sic*] which while repudiating any appearance of dictating will endeavour to give unity of idea and of action to the Constitutional Associations which are being formed throughout the country. It has been established by Lord Nevill, and has met with the hearty support and concurrence of the most influential members of the Conservative party.

Colonel Taylor and Gerald Noel, the Conservative Whips, were among the Vice-Presidents. A council of twenty was appointed of which the six already mentioned (Raikes, Gorst, Charley, Marten, Harvey, and I) were members, and the first home of the new association was at the office of *The Imperial Review* at 19, Henrietta Street.

In December a circular was issued explaining the object of the National Union to be "to give unity of ideas and action to the Constitutional Associations which are now being formed throughout the country."

The Reform Bill of 1867, with its large extension of the suffrage, had just been passed, and our object was to address

ourselves as soon as possible to the newly-enfranchised voters. The circular mentioned as one important means of increasing the influence of these associations the holding of quarterly meetings at which a speaker sent down by the National Union, if local speakers were not available, would deal with important public questions. The first meeting to which the Council were asked to send a speaker was the quarterly meeting of the York Conservative Association held at the Assembly Rooms on January 8th, 1868.

I went to York as the first spokesman of the National Union, and there made my first political speech on a public platform. And the Council were so well pleased with their representative that the first pamphlet issued by the Union was a selection of passages from the speech I then delivered.

I quote from the copy which lies before me a few sentences from the speech which began a career of political activity which lasted for thirty-eight years.

In the House of Commons we have now a united and therefore a powerful party. In 1846 the Conservative party was divided, cast down, and dispirited. But during the last twenty years a wonderful change has been effected, and chiefly by the consummate genius of the greatest of living politicians—the present Chancellor of the Exchequer —the party has been reorganised, and now by the power of its unity it holds a commanding position in the legislature, and it has a just confidence in the statesmen who have guided it so well. But besides trusted leaders and a united parliamentary party, it is necessary to have that steady popular support upon which the success of any political combination must depend. This is what the National Union of Conservative and Constitutional Associations will secure, and in this work you have done good service to-night. The battle must be fought through the agency of associations such as yours, and I trust, indeed I have every reason to predict, that there will soon be not a single important town in the country where a Constitutional Association will not be in successful operation. Thus the great National party will be consolidated, and we may confidently look forward to the peace and prosperity of our country being assured by a just, an enlightened, and a Constitutional policy.

The election of 1868 was a disaster, but we worked hard and had the happiness of seeing the Tory party gradually rise from the almost unbroken record of defeat and impotence which began in 1846 until in 1874 it came back to office and power, and in six years vindicated by the courage and wisdom of its domestic legislation and the firmness and foresight of its Imperial policy all the hopes we had cherished in those early days of darkness and defeat.

The years 1867 and 1868 were years of great political activity in the House of Commons and throughout the country. Mr. Gladstone had abandoned the hope of passing a Reform Bill through the House of Commons, and Disraeli had undertaken the apparently hopeless task of trying to do so in a House in which the Liberals had a majority of sixty-five. His leadership during the months from February to August 1867 was a marvellous exhibition of patience and skill.

The Russell Government had fallen upon the question of a rental as opposed to a rating franchise.

Disraeli sent for Thring, the parliamentary draftsman, and told him that the Bill must be so drawn that this question would have to be raised by the first amendment. Thring obeyed instructions, and the result was that the first division on the Bill showed Disraeli voting in a majority of 310 and Gladstone with a minority of 289. Many concessions had, of course, to be made, but Disraeli's parliamentary success may be gauged by the fact that in the course of the struggle there were twenty-three important divisions in which Gladstone and Disraeli voted on opposite sides, and in eighteen of these Disraeli was in the winning lobby. The third reading passed without a division.

The Bill became law in August, and there followed a twelvemonth of very active work in the enlarged constituencies.

It was upon the question of the Irish Church Establishment that the chief controversy chiefly raged. I prepared lectures on that subject and delivered them at Lewes, at King's Lynn, at Dover, at Southampton, and in different

parts of London. As the election drew near I became very busy indeed. A lecture I gave at Cheltenham led to my being retained (I forget the amount of the fee) to spend a week in the town, speaking every evening, and canvassing during the day with the candidate, five years younger than myself, my staunch friend ever since, Mr. (now Sir James) Agg-Gardner. The week ended with a dinner given to me on the Saturday night by (or for) the working men of the town. Then I went off to Cardiff, where my friend Hardinge Giffard was fighting his first contest. There my association with Working Men's Clubs was utilised, and besides speaking at the ordinary election meetings I addressed a very large gathering at the Drill Hall on "Questions for Working Men." They were so pleased with my speaking at Cardiff that I was asked to stay on a few days and speak at Swansea. I said I would if they would have an open public meeting. They said it could not be done; no Tory meeting had ever been held with open doors, and it would not be safe for the speakers. I was firm, and the meeting was announced as I wished. The Victoria Hall (I think it was) was crowded, but evidently not by our friends. Not a word of the Chairman's speech could be heard. Then I came to the semi-circular rail in front of the platform, and stood there for, I suppose, nearly half an hour without getting a full sentence heard. At last a well-known dissenting minister rose in the body of the hall, and made an appeal to all true Liberals to give me a hearing. The crowd listened to a few sentences, and somehow I got their attention.

With some interruptions I made them an hour's speech: they seemed to think I had shown some pluck, and I got a good cheer at leaving. But I did not know until the next morning what an escape I had had: in the galleries were picked up pieces of rough granite, half a barrowful. They were meant as missiles, and it was fortunate for me that no one had set an example of using them.

During a few days at Cardiff I stayed with Mr. Sherley (of Luard and Sherley, Lord Bute's agents), and he talked to me about the new paper, *The Western Mail*, which was

just about to appear, and introduced me to Mr. Adams, the rather curious person who had been chosen as the first editor. (He afterwards married Lord Coleridge's daughter and was plaintiff in a singular action.)

Just before going to Cardiff I had made a speech at a meeting at Hackney, and while staying with Mr. Sherley I received a letter signed by Thomas Brooks, Chairman, and Edward Wimble, Secretary, on behalf of the Hackney election committee, asking me to stand for that borough. This invitation was, of course, at once declined; but I saw a good deal afterwards of Edward Wimble, who was one of the best of the subordinate agents whose work led up to the triumph of 1874.

There is not much that needs to be recorded of my political activities during the five years after the 1868 election. I lectured a good deal, and when a by-election took place I often had some share in the speaking. 1869 brought a very pleasant reminder of the Cheltenham election in the shape of my first brief (with a fee of fifty guineas and a refresher of thirty) in an election petition. Agg-Gardner petitioned and claimed the seat; and the report of that trial gives a fair idea of the roughness of political contests in those days.

Chesshyre, the solicitor and agent for the Liberal candidate, brought a mob of roughs, some of them prize-fighters, over from Birmingham, and established them in an empty house in the town. Each man had a coloured neckcloth and a thick stick given him, and they ranged over the town, breaking up the Tory meetings, hustling Tory canvassers, and protecting others from observation. A retired detective named Field was sent down to watch them: he passed as a photographer, but he was found out and set upon and left lying in the street with a broken leg. Baron Martin was the Judge; he decided that the evidence of bribery was not sufficient: while as to the prize-fighters he only said that bringing them down like that was very wrong, very wrong indeed.

I soon began to make preparations for standing for the

London constituency which elected me some years later. The sitting members for the borough were John Locke, a Liberal, one of the most popular of the leaders on the Home Circuit, and Marcus Beresford, a Tory, a Colonel in the Volunteers, and a large wharf-owner in the borough.

Colonel Beresford was a very useful Member of Parliament, of the type dear to party managers ; a regular attendant, a safe vote for his party, and very diligent in the interests of his constituents. But he was a poor speaker, and not very good in expressing himself in formal letters. I had made his acquaintance at the Surrey Sessions, and sometimes met him at political meetings in the South of London. In December 1872 he wrote to me making two proposals. One was that I should, " if I would not open my mouth too widely in the matter of fees," supply him with notes for speeches in or out of the House of Commons. The other was that I should become the recognised candidate for Southwark on the Tory side, as his intention was to retire from Parliament at the next General Election. I would not accept any fees, but we came to an understanding that I would help him with his speeches, and would draft resolutions or letters for him, but that nothing should be said for the present as to the succession to his seat. In the early part of 1873 the difficulties of Mr. Gladstone's Government became serious, and their defeat on the Irish University Bill and consequent resignation, although they returned to office on the refusal of Mr. Disraeli to form an administration, set all political workers in preparation for a dissolution. The Chairman of the Conservative party in Surrey wrote to me in March to say that it was likely that Baggallay, one of the members for Mid-Surrey, would get a judgeship, and asking if in that event I would be willing to stand for that division. But my time for entering the House of Commons had not yet come, and I devoted myself chiefly to my work as Chairman of the Conservative Association in the borough of Lambeth, which was even larger than Southwark, and which Morgan Howard, who had made a great fight there in 1868, was preparing to contest again.

In May I began collecting subscriptions towards an election fund, and by the end of the year over £2,000 was in the bank in the names of Mr. John Scott and myself, and I had the promise of another £1,000 from the party funds. Before the Long Vacation everything had been put in order for the contest, chairman and committee appointed for each of the seventeen wards, ward street-lists bound, and canvassing books ready for immediate use.

During the autumn I had the amusing and useful experience of fighting an election at Dover as Deputy candidate. In 1871 the appointment of Jessel as Solicitor-General had caused a by-election, and I had been down there to make a speech at the introduction to the constituency of a Mr. Barnett, a railway contractor who had made a fortune in India by building the railway from Bombay to Calcutta, and incidentally starting a newspaper in Calcutta which so long as the line was incomplete had a very valuable priority in getting news from Europe. Jessel held the seat, but in 1873 he vacated it on becoming Master of the Rolls. Barnett had sailed for South America a few days before this was announced, on another railway undertaking. The Tories at Dover were in a great difficulty. Forbes, the Chairman of the Chatham and Dover Railway, was in the field at once on the Liberal side. Barnett could not be communicated with, but it was known that he had intended to try again, and it was determined to put him forward, and Gorst sent for me and asked me to go down and fight the election. I wrote the address, and went down, and stayed a fortnight at the Lord Warden Hotel, speaking on most evenings and canvassing every day. Dover had always been known as a corrupt constituency: and this election had a special interest, as it was the first in that borough under the ballot. There were a good many "freemen" at Dover: and there, as in other boroughs where voters of this inferior class were found, the method of purchasing their votes was very simple. Some of the "freemen" were Liberal, some were Tory. They and their fathers before them had always voted for their party, and were not easily persuaded to vote against

it, but unless they were paid they would not vote at all, even if they could not be tempted over to the other side. Some trusted leader of each group arranged with an agent of the candidate how much should be paid: it was his business to bring his men to the poll: and in the days of open voting it could, of course, be known how many had earned their pay. The ballot made the matter much more difficult, for now there was no means of knowing whether the purchased vote had been given on the right side. And at this election a very sharp watch was kept by detectives employed on either side. I have no doubt there was some bribery, although of course I, as the candidate, was not told anything about it: but a number of voters were disappointed: and when the polling day came the actual promises were not quite satisfactory, and there were a good many voters loitering about the town who had not yet quite made up their minds. In the afternoon I drove round the outlying parts of the borough and told the loiterers there that they need not trouble to come in to vote, we could win without them, but it was a pity they should lose the pleasure of being on the winning side. I think most of them came in: we had a large poll, and won by 326, the largest majority a Conservative had ever had in Dover. The result was most satisfactory to me, but poor Barnett never took his seat. Before he returned to England the General Election came, and I think he found he had spent more money in the two contests than he had expected them to cost. He never reappeared in English politics.

On Saturday, January 24th, 1874, came the sudden announcement of the General Election. In the previous August Gladstone had told the Queen that it was the intention of the Government to meet Parliament, and that they hoped to carry through the business of a full session. But there had been difficulties with Cardwell about the estimates: two by-elections at Stroud and Newcastle had shown the growing strength of the Opposition in the constituencies; and there was behind all this the personal difficulty which had arisen with regard to his seat for

Greenwich. Coleridge and Jessel had advised that his acceptance of the office of Chancellor of the Exchequer in addition to that of First Lord of the Treasury, which he had held since the formation of the Ministry, did not vacate his seat. But Harcourt and James, who were now the Law Officers, and who took Bowen into consultation, declined to express any opinion, and the Lord Chancellor, Selborne, was insistent in his opinion that the taking of this additional office had rendered the seat vacant.

Notice had been sent to the Prime Minister that if he sat and voted he would be sued for penalties, and the Opposition Whip had told the Speaker that the question would be raised as soon as the House met. A strong Conservative candidate was ready to come forward. The defeat of the Prime Minister at a by-election, the delay involved in finding him a safe seat elsewhere, would have been dangerous to a ministry already seriously weakened. This personal difficulty was not the main cause of the decision to dissolve, but it cannot have been without its effect.

Gladstone's address appeared in *The Times* on Saturday morning. At 5 o'clock that afternoon I was in the chair at a full meeting of the Council of the Lambeth Association: the seventeen ward registers were on the table, and each volume was handed over to the ward chairman, and he went off to meet his ward committee later in the evening. I had made up my mind to do nothing in the election, except to speak and canvass in the borough of Lambeth, but a couple of days later an unfortunate difference arose between me and Morgan Howard as to the control of expenditure during the election. As the funds had been collected by me, and stood in my name at the bank, I thought I ought to be consulted before any large contracts were made for printing or advertising or the expenses of public meetings. Howard refused to consult me at all, and claimed that he had the sole right of controlling expenditure, and that my duty was simply to pay over the money. I could not accept this position, so vacated the chair in favour of the vice-chairman, on the ostensible ground that I was wanted in other

parts of the country. It was a fortunate release for me, as it led to my making acquaintance with Lord Randolph Churchill in circumstances which led to a friendship that lasted, with one interruption, to the end of his life.

On the following Tuesday I went down to make a speech at Woodstock. At Woodstock Road I was met by Mr. Barnett, a banker and the agent of the Duke of Marlborough, who had for nine years occupied the seat until one of the Duke's sons should be ready and willing to stand. As he drove me across the country in a wagonette he gave me some account of the political situation in the borough. It had always been looked upon as a pocket borough of the Duke of Marlborough's, but at the election in 1868 Mr. George Brodrick (afterwards Warden of Merton), a brother of Lord Midleton, had very nearly captured the seat, the majority against him being only twenty-one. This election was expected to be very close, and in view of the fact that the Ballot Act had passed and was supposed to have greatly weakened territorial influence the Radicals had strong hope of winning the seat. The Tory candidate was Lord Randolph Churchill, the younger son of the Duke, who was only twenty-four years of age and had never shown any interest in political work.

Indeed, there had been difficulty in persuading him to stand. He had only consented on getting his father's reluctant consent to his marriage to a beautiful American girl, a Miss Jerome, whom he had met at the Isle of Wight in the previous autumn and to whom he had become engaged after three days' acquaintance. Mr. George Brodrick was standing again, and at the urgent request of the Duke the Tory organisers had agreed to send down a speaker. When we reached Woodstock we heard as we drove past the public hall the cheers of the Liberals whom Mr. Brodrick was addressing.

Arrived at the principal inn, we went upstairs, and there in a large low-ceilinged room I found some thirty or forty solid-looking gentlemen who were apparently awaiting my arrival.

I shook hands with the chairman and asked when the meeting was to take place. "Oh," said he, "this is the meeting; these are all good friends of ours who are looking forward to the pleasure of hearing you."

I accepted the situation and gave them an hour's speech on general topics. Then I asked about a public meeting, and was told that the Tory candidate was so young and so inexperienced in public speaking that it had been decided not to have a larger meeting, but to trust to the canvassing of the gentlemen I had just addressed. I vehemently protested. I told them I did not believe there was a constituency in England that could be won by a candidate whose friends did not venture to put him on the platform, and after much discussion it was agreed that if I would stay and speak a meeting should be held.

I was due at Bath on the following day, so the meeting was fixed for the Friday evening. I went on to Bath and spoke there on Wednesday at a dinner given to Lord Grey de Wilton and Major Bousfield, and the next morning came back to Woodstock. Then I met Lord Randolph Churchill, a nervous, rather awkward young man, who certainly seemed to have the most elementary ideas about current politics. We had some talk about the subjects he was going to deal with in his speech. I wrote out four or five questions which were to be put into friendly hands and asked from the back of the room, and gave Lord Randolph the answers. When we came to the meeting Lord Randolph was very nervous. He had written out his speech on small sheets of paper, and thought that if he put his hat on the table and the papers in the bottom of the hat he would be able to read them. This, of course, he could not do. There was a rather noisy audience, who gibed at him and shouted to him to take the things out of his hat, and so on, and the speech was far from being a success. But the questions and answers went very well; then I made a speech, and taken altogether the meeting went off very well. The next morning Lord Randolph wrote to Miss Jerome: "We had a good meeting last night which was very successful. We had a good

speaker down from London and I made a speech." The result of the polling was a great disappointment to the Liberals, for they were beaten by 569 votes to 404. A fortnight later I had a letter from Lord Randolph from Paris, where he hastened to join Miss Jerome directly the election was over.

He said, "I really am quite confident that many of the votes, if not the majority, may be attributed to your excellent speech."

I then went to Cardiff to speak for Hardinge Giffard, who was making a second attempt to win the seat. Except upon the platform, where he was always good, he was a very poor candidate.

Mr. Sherley complained to me that he was very idle about canvassing, preferring to stay at home and read, and that when he did canvass he was very unconciliatory. He was beaten by nine votes, and when I met him in London I congratulated him on his defeat. He was very downcast, and thought I was unkindly laughing at him. I told him my congratulations were quite sincere; that if he had been elected by nine votes his party could not have made him a law officer for fear of losing the seat.

"Now," said I, "you will make a lot of money in election petitions, and then they will find you a safe seat, and give you office." My prediction cheered him up and was exactly fulfilled; indeed his good fortune was greater than I had foretold, for at the trial of the election petition at Windsor he met Miss Woodfall, the niece of his client, and found in her a charming wife through whom a large fortune came to their children.

CHAPTER XII

MASONIC AND DOMESTIC: 1874–1877

I MAY here interpose an account of one of the interests and activities of my life without which the story would be incomplete. In the year 1861 I was on a walking trip through North Wales, and staying a couple of nights at Dolgelly I made the acquaintance of two young men who were spending their holiday together. One was Nelson Ward, a grandson of the great admiral, son of the Horatia whom he bequeathed to the care of the nation. She was not wholly neglected and had a pension of £300 a year. One of her sons became a Commander in the Navy, another, my travelling acquaintance, had a clerkship in Chancery, and eventually became a Registrar, and the pension was continued to a daughter who survived her. This daughter married a young solicitor named William Johnson, who was with his brother-in-law at Dolgelly. The chance meeting had very pleasant results for me. A close friendship grew up between us and lasted until their deaths many years later. I used occasionally to go to Pinner to see the dear old lady, whose rooms were full of drawings and engravings and mementoes of her illustrious father and of Lady Hamilton. She herself in face and figure was very like the portraits of Lord Nelson. The friendship with William Johnson had more important consequences. He was the Secretary of the Masonic Lodge "Caledonian 134," and in the year 1871 I was initiated into Masonry at that Lodge. We used to meet at the Ship and Turtle in Leadenhall Street. Two of the other members of the Lodge may here be named. One was E. W. Mackney, in his day the most popular of comic singers, and the first and best of

negro melodists. Mackney told me that his father had been an usher in the school at Epping Forest where young Disraeli spent some years between 1815 and 1821. And he told me that many years later when Disraeli was in office—it must, I think, have been in 1852—his father, who had not been very prosperous, made some appeal to his old pupil, and was very kindly and generously received. The other was Joshua Nunn, who was United States Consul in London, and whose acquaintance proved useful to me in my profession. During the year 1872 the question of the indirect claims arising out of the blockade running during the American Civil War required a great deal of evidence to be taken on commission in London, and I find that in four cases of this kind I appeared as Counsel for the United States Government.

I was very diligent in my Masonic duties, and learning with facility the voluminous addresses and the elaborate ritual of the craft I went very quickly through the offices of the Lodge. So quickly that when in 1875 the Prince of Wales, afterward Edward VII, was installed Grand Master of Masons in England I was already Master of the Caledonian Lodge. The great ceremony of the Prince's installation took place at the Albert Hall, and was the most picturesque and impressive public function I ever witnessed. Some 8,000 Masons, all of them Masters or Wardens or Past Masters of their respective lodges, filled the great hall. The floor was a mass of purple, the clothing of the Grand and Provincial Grand officers; along each line of seats ran a band of light blue, the collars and aprons of the officers of the craft. The seating was controlled by Thomas Fenn, an old and much respected Mason; and besides the ordinary stewards he had under him a staff of about twenty aide-de-camp, each the actual Master of his lodge, of whom I had the good fortune to be one. I had a pass-key which opened every door of the building, and so I was able to see the magnificent spectacle from every point of view. When the Lodge was closely tiled and the ceremony commenced the aides-de-camp joined their chief on the side of the platform,

The Prince filled his place nobly, and his fine resonant voice rang out clearly in the crowded hall.

It was a strangely emotional assembly. When the first salute was given it was a little ragged and uncertain, and there was a whisper of dissatisfaction. Sir Albert Woods paused a little, and when next he gave the signal the thousands of hands met with a sharp volume of sound which had an extraordinary effect. I saw old men near me crying like children.[1]

I kept up my Masonic work until I became member for Plymouth. Then I practically abandoned it for twenty years. Parliamenntary duties made it difficult to attend lodge meetings or banquets in London, and I would not take part in Masonic work at Plymouth, partly because I wished to avoid the slightest possibility of its being connected with politics, and partly because I should have been burdened with the necessity of paying equal attention to each of the three lodges which flourished in my constituency.

So for many years I only went to Masonic gatherings on very special occasions, such as the consecration of the Guildhall Lodge, the United Wards Lodge, of which I was one of the Founders, and the Canada Lodge, and the notable dinner of the Chancery Bar Lodge at Lincoln's Inn Hall when the Grand Master the Duke of Connaught was present.

In 1903 the Duke honoured me by conferring on me the rank of Past Grand Warden, and I wore my purple clothing for the first time at a great gathering of Canadian Masons who entertained me at Toronto during my trip through Canada in the autumn of that year. In 1912 my friends at the City of London College did me the greater honour of founding a new lodge, calling it the Sir Edward Clarke Lodge (3601), and inviting me to be its first Master. My good old friend Sir Edward Letchworth, whose services as

[1] I again served as a Steward, forty-two years later, at the great Masonic gatherings at the Albert Hall on Saturday and Sunday, June 23rd and 24th, 1917, to celebrate the bicentenary of the foundation of Grand Lodge; and again on the 25th October 1922, when the Prince of Wales took the office of Senior Warden of Grand Lodge.

Grand Secretary were of inestimable value to English Freemasonry, performed the ceremony of consecration, and I had a happy year of office, though I confess it was not easy to regain mastery of the ritual and the official forms. I have done several things which I hope may cause my name to be remembered when my life's work here is ended; perhaps the Sir Edward Clarke Lodge will be the most lasting of my memorials. For I cannot imagine any changes in the political or social condition of England which can weaken the strong hold which Freemasonry has upon our people. I trust no such changes may take place, for I look upon our Masonic Lodges as centres of a powerful influence which is constantly having effect in purifying and upholding our national character. The work of Masonry is essentially religious. Its teaching has indeed no relation to the doctrines which distinguish and divide the Churches. But it proclaims at every meeting its reverence for the Great Architect of the Universe; it hymns His praises; it invokes His blessing upon all its work; it teaches in all its formularies the virtues of brotherly love, charity, and truth; and the solemn obligations by which its members are bound together are only special sanctions of the Divine law which bids us fear God and love our neighbours. I do not say that all Masons are good men, but no bad man can be a good Mason, and he will soon leave off attending Masonic lodges, for to the man who is dishonest or immoral, or covetous, or uncharitable in thought, or slanderous in speech, it must soon be intolerable to listen to the noble teaching of the Masonic ritual. A full clear note is sounded in every hymn and every response in which he joins, and to his conscience there must come at once the bitter reproach of insincerity and falsehood.

From 1874 to 1877 my life was uneventful, but very prosperous and happy. In 1872 we had left our very humble home in the Peckham Park Road and gone to a much larger house called Dagmar Villa, which stood in a pleasant open position at the corner of Dagmar Road, Camberwell, and had a good garden. Here for five years I had that full

enjoyment of life which can only come to a man who has good health, complete domestic happiness, and an income steadily increasing from year to year. My dear little wife was at woman's most charming age; our sweet little Mabel was life and sunshine to the house; in 1875 another baby girl came to bring us fresh joys; and the trouble of financial anxieties had wholly passed away. In 1873 my fees amounted to £1,152, and during the next three years they increased at the rate of £500 a year; the figures for the successive years being £1,566, £2,225, and £2,650.

I was now saving money steadily, my life was insured for £4,000, and as year after year went on we surrounded ourselves with comforts and luxuries which had been unknown to us in our early days of severe economies. We enlarged our circle of acquaintances. We went often to theatres and concerts. I began to buy books and bronzes and engravings.

One night a week was given to the Amateur Musical Society, and every Saturday a small private whist-club met at the house of one or other of the members who took his turn in providing supper.

I look back on those peaceful and pleasant years as a time of sweet rest and contentment when the first steep climb was over and I could pause and take breath for the heights which had yet to be scaled. In the year 1875 a cloud came over our sunny sky in the illness of my brother Joseph, and I think I may fitly choose this place to tell the story of an episode in my family life which I should not like to leave unrecorded. My brother, who was four years my junior, had been educated at the City of London School. Here he greatly distinguished himself. In 1860 he won the David Salomon Scholarship at the School, of £30 a year, and took the prize for Scripture. In 1861 he delivered the Declamation in German and took the Scriptural prize and the highest prize for General Proficiency and Good Conduct.

In 1862 he delivered the Declamation in French and gained the Conquest Gold Medal; the highest prize in English; and the Carpenter Club prize for English History.

In 1863 as Captain of the School he delivered the Declamation in English; and took the Hale Medal for Chemical Science, the Latin Verse Competition Prize, and the highest Prize in German and the first Shakespeare Prize; and left the School for Magdalen College, Oxford, with the Grocers' Company Exhibition of £50 a year and a Natural Science Demyship of £75, and the declaration by Dr. Mortimer, the Headmaster, that he was the best classical scholar the School had ever sent out. He was a bright fair-haired active lad of seventeen, of a singularly sweet and lovable disposition, frank, generous, full of industry and courage, with an instinctive purity of thought and life, giving promise of a career of brilliant usefulness. All loved him; his fond mother looked forward to a future in which all his gifts and qualities would find full scope in the ministry of the English Church. For a time all went well, and his Oxford life was full of enjoyment for himself and satisfaction for his friends. But presently he made the acquaintance of Father Comberbatch, who was conducting an active propaganda for the Roman Catholic Church among Oxford students, and in the autumn of 1865 he wrote to me saying that he was much shaken in his belief in the teaching of the Anglican Church, and that he was seriously thinking of leaving it for that of Rome.

I begged him to pause before taking such a step, and obtained his promise that he would take no step for six months, and that meanwhile he would study books, some of which I suggested, on the Protestant side of the controversy, and would discuss his difficulties with those who were better qualified than I to advise and direct him. He kept his promise, and at the end of the time he told me that his mind was made up, and that he had in fact been received into the Church of Rome. The immediate consequences were very sad. The authorities of Magdalen College passed a new regulation by which no one was permitted to hold a College sizarship unless he attended the Chapel services. My brother could not obtain a dispensation permitting him to do this, and he was obliged to leave Oxford.

Unhappily the doors of his home were closed against him. My father and mother were Protestants of a somewhat narrow type, and they were sorely angered.

They refused even to see him. I was living at Moorgate Street and contributing to the family expenses, and could not afford to keep him, and in his despair he asked the Passionist Father at St. Joseph's Retreat, Highgate, to receive him as a postulant. Here he was most kindly treated, and came under the influence of Father Pius, a man of great intellectual and personal charm, and in his society my brother was confirmed in his new faith, and found some compensation for the loss of the congenial surroundings of Magdalen.

In due time he passed to the house of the Order at Broadway, Worcestershire, there to serve his novitiate, and in 1866 he wrote to tell me that he had been accepted, and was to make his profession before the Bishop of Clifton, and sent me an invitation from Father Salvian, the head of the house, to come to Broadway and be present at his reception into the Order.

I stayed at Broadway for three days and was for the greater part of the time alone with my brother, and I urged him if he had any doubts as to Roman Catholic doctrines or as to his own vocation for the monastic life not to take an irrevocable step, but to come to the home I was now able to offer him. He had no doubts, and on the Sunday I saw him make his profession. For a time, while he remained at Broadway, all went well, but presently he was sent to do educational work at the house of the Order at Harold's Cross, Dublin. There his faith received a sudden and violent shock. He found himself in a religious atmosphere in which his refined intellect and saintly soul could hardly breathe. He was among priests and novices and postulants who were for the most part sons of Irish peasants; and, away from the sentimental sophistries and subtle evasions by which the more intellectual Romanists mask and evade the difficulties of their creed, he came face to face with the coarse and ignorant superstition which has hindered moral and

intellectual progress in every Roman Catholic country. He could not endure the strain, and after a year or two of great mental suffering he determined to leave the Passionist Order, and obtained from Rome a release from his monastic vows. The rest of his life was full of sadness, and was a slow but unbroken course of mental and physical failure. He tried many occupations. He was for a time a tutor at St. Edmund's College; then he taught in a private family; then, with an old school friend, he prepared candidates for University and Civil Service examinations; for a time he was employed in a music publisher's office. Seeing him often, and watching him with anxious affection, I soon became aware of a gradual weakening of his mental and physical powers. His steady, hopeful will changed into a fitful indecision, sometimes impetuous and sanguine, sometimes gloomy with despondency. His sweetness of affection and his gentle charity and sympathy for others never failed; but the early comfort of his religious faith was lost in a habit of constant introspection, full of anxiety and terror. At length there came a crisis.

One evening I was working alone in my room at Garden Court when I heard a loud and hurried knock and a sound as of some one falling in the passage. I opened the door, and just outside it I found my poor brother, on his knees and sobbing as if his heart would break. I got him into the room, and then he told his sorrow. He had that afternoon been riding in an omnibus, where, after he entered, there was one vacant seat. Two ladies wanted to come in, and the conductor asked if any gentleman would ride outside and so give them room. It was a cold wet day; and my brother had been warned that his chest was delicate, and that he ought to run no risk. So he sat still, as others did, and the ladies were left outside again. Then remorse and terror seized him. He had been wanting in Christian charity. Perhaps the danger he had feared for himself might bring illness or death to one or both of them. He rushed down to the Temple to find me, and by the time he reached my door he was in the extremity of terror lest he

should die in this mortal sin and his soul be eternally lost. I talked to him and tried to comfort him, and to some extent succeeded ; but from that time I felt that it was dangerous for him to be going about alone. Indeed he felt so too ; he always tried to get a companion : when alone he hastened through the streets as if pursued, and he was quite unfit for any occupation. A very able and high-minded doctor of my acquaintance kept a well-known asylum in the Peckham Road, and I suggested to my brother that he should be placed there as a patient. After a little hesitation he consented, and one sad evening, his luggage having been sent before, we walked together to the house, and I left him in my friend's charge. The step was not taken a week too soon, for the mind was fatally impaired, and as if in sympathy the body failed also. For about four months in 1875–6 I spent several hours with him every Sunday afternoon. He was content and fairly happy, and expressed no desire to come out into the world with whose tumultuous life he felt himself too weak to cope. And gradually the body grew feebler and the mind lost its power of consecutive thought. By the end of the year he was scarcely able to leave his room, and the doctor told me he did not think he could last many weeks. So I took him to the house of a medical man at Holloway, where he was near the Passionist Monastery, from which the priests used to come to see him, and near also to my father's house. Here he gradually sank into occasional, and then into almost continuous, coma, and on March 18th, 1876, while my sister Fanny and I sat by his bedside, his pure and gentle spirit passed away.

I have said before that the only way to make sure of feeling wealthy is to live in a much smaller and cheaper house than one could reasonably afford, and notwithstanding my rapid increase of income I think we should have continued to live at Dagmar Villa if in the spring of 1877 the opportunity had not occurred of securing the pleasantest house in the neighbourhood I did not wish to leave. Huntingdon Lodge was a well-built square house of about seventeen rooms,

standing well back from the Peckham Road, with a large square garden at the back, and a smaller one, but with pleasant, well-grown trees, at the side of the house, and filling up the frontage between Southampton Street and Camden Grove.

It was just the house which would suit the Member for a South London constituency; and having been occupied for many years by Mr. Waterlow, the father of Sir Sydney Waterlow, who was Lord Mayor of London in 1872, it was in excellent condition. I took it at Lady Day, 1877, at a rent of £120 a year, and we spent a good deal of money in furnishing, and again altered the standard of our domestic expenditure. In June 1877 there were some apprehensions that the campaign which Mr. Gladstone had begun in the previous year on the subject of the Bulgarian atrocities might imperil the Government and lead to an early General Election, and at a meeting held at the Hop Exchange in the borough on July 6th I was adopted as the Conservative candidate for Southwark if a dissolution should take place.

It was a very large constituency of 250,000 people, with 22,000 electors, and the candidature promised to be a very arduous one, partly because of its great expense, and partly because it was extremely difficult to make oneself personally known, or even known by name, to such an electorate. Again my good fortune was shown, and two cases which came to me quite close together not only brought me an assured success in my profession, but were of a character which made my name known to the world in a way which nothing else could have secured to me.

CHAPTER XIII

THE PENGE MYSTERY: 1877[1]

FROM the professional point of view the most important of all my years of practice at the Bar was the year 1877. My income had steadily risen, the days of anxiety as to success or failure had gone by; what I wanted was that now, when I was just reaching the age of achievement, when all my powers were at their fullest strength, I should have a conspicuous opportunity of showing that I was capable of dealing with the gravest difficulties and responsibilities which an advocate can have to meet. That opportunity came in the case which for several months in 1877 was known as the Penge mystery.

This concerned the death of a woman named Harriet Staunton, one of the two daughters of a Mrs. Richardson. Mrs. Richardson was the illegitimate child of one Eleanor Suter, who many years after her daughter's birth married the sixth (and last) Baron Rivers of Sudeley Castle. The elder daughter married William George Howard, the heir-presumptive to the Earldom of Wicklow, and after his death put forward a boy as his child, and made an unsuccessful claim to the Earldom. She afterwards married a Mr. Casabianca.

Harriet Richardson, the younger sister, had always been a source of some anxiety to her mother. Her intellect was weak; she was incapable of receiving much education, and was, in her mother's opinion, quite unfit for marriage.

At the death of Lady Rivers, which took place in 1872,

[1] The substance of this chapter is taken from a fuller account of the Penge case which appeared in *The Cornhill Magazine* of April 1915.

each of the two sisters became entitled to money, Harriet's share being about £2,000 in possession and about the same amount in reversion. She was then or shortly after living with some relatives in the south of London. In 1874 her mother, who was now Mrs. Butterfield, having after Richardson's death married a country clergyman, heard that a young auctioneer's clerk, named Louis Staunton, who was twelve years younger than Harriet, was proposing to marry her. She at once made an attempt to have her daughter declared a lunatic, and her money placed under the protection of the Court of Chancery; but this attempt was unsuccessful and the marriage took place in June 1875. The newly married couple went to live at a small house in Loughborough Road, Brixton, which had been furnished with part of Harriet's money, and there a few weeks later Mrs. Butterfield paid them an unexpected visit. Both husband and wife were at home, and, as was quite natural in the circumstances, they received her very coldly, and a few days later she received letters from them both, asking that the visit should not be repeated. She never after that saw her daughter alive. From time to time she made inquiries about her, and a year later she heard that the house in Brixton had been given up, and that Harriet, with her child, who had been born in March 1876, was living at the house of her brother-in-law, Patrick Staunton, at Cudham in Kent. Seriously uneasy, she made several attempts to find her. Happening to meet Patrick Staunton at a railway station she asked where her daughter was, and he said he knew nothing about her. Then, in March, she went down to Cudham and found that Mr. and Mrs. Louis Staunton were living at a house called "The Woodlands." She went there and saw Louis and Mrs. Patrick Staunton and begged to be allowed to see her daughter. She was told that Harriet was not there. The poor mother did not believe this; she said she did not want to talk to her daughter, but just to see her, if only at a distance, to be assured that she was still alive. She was driven from the house with abuse and threats of violence,

and an application she made to the local police had no result.

Six weeks passed. No knowledge of Harriet's whereabouts could be obtained. And then a strange coincidence, so strange that if found in fiction it would be ridiculed as too improbable, led to the discovery and investigation of a great tragedy. On the evening of Friday, April 13th, Mr. Casabianca, who had married Mrs. William George Howard, had occasion to go to a shop at the corner of a then unfinished road at Penge, called Forbes Road.

Mr. Casabianca knew nothing about the Stauntons, except that his wife's sister had married a young man of that name, and that Mrs. Butterfield had been vainly trying to ascertain her whereabouts. The shop was the local post-office, and, while Mr. Casabianca was doing the business which had brought him there, a young man, whom he had never seen before, came in to ask where a death which had occurred that afternoon in Forbes Road would have to be registered. Forbes Road was on the boundary road between two counties, the houses on one side being in Kent, and those on the other side in Surrey, so it was natural that inquiry should have to be made, and that it should be made at that shop. But the young man was needlessly garrulous; and one quite unnecessary statement had momentous results. He said that the lady whose death was to be registered had been brought from Cudham. That word reminded Mr. Casabianca that it was at Cudham that Mrs. Butterfield had made inquiries, and he acted promptly.

He went the next morning to the police, and upon his suggestion inquiries were made. The doctor who had given a certificate of death withdrew it; the coroner ordered an inquest, and on April 19th a post-mortem examination was made by four doctors who agreed that death had been caused by starvation.

I was to have appeared for the Stauntons at the inquest, but I had engagements in town, and Percy Gye went down on the first hearing and Douglas Straight was taken in on the second. They had a very difficult task, for when the

story became known there was a furious outburst of public indignation. When the Stauntons attended to give evidence before the coroner they were with difficulty protected from the violence of the crowd, and they were advised by their counsel not to be present at the close of the inquiry. The violence of the public feeling is easily understood when the facts proved at the inquest are narrated.

For rather more than a year after their marriage in June 1875 Mr. and Mrs. Louis Staunton continued to live at Brixton, and there in March 1876 a little son was born. About that time a pretty girl of eighteen, Alice Rhodes, whose sister had married Patrick Staunton, came to live in the house, and Mrs. Louis soon had cause to suspect that immoral relations existed between her husband and this girl. A few months of constant quarrelling and unhappiness followed, and then in August 1876 Harriet and her child were sent down to Cudham in Kent to live with Patrick Staunton and his wife. Patrick was an artist with very small means, and lived in a little cottage of only four or five rooms. A little later Louis, who had by this time obtained and spent all the money his wife had inherited, and had induced her to sell her reversionary interests and let him have the proceeds, took Alice Rhodes to live as his wife at "The Woodlands," a house which he took and furnished only a mile from Patrick Staunton's cottage. From that time Harriet Staunton was never seen except by Patrick Staunton and his wife, and their servant Clara Brown, who was a first cousin of Mrs. Patrick and Alice Rhodes, and once or twice accidentally by chance visitors to the house. The neighbours and tradespeople did not know she was living there.

Six months passed by. During that time Harriet Staunton only left the house twice—when she was brought to London by her husband to make her declaration as a married woman respecting the deed of assignment of a reversionary interest to which she had become entitled on the death of her "great-aunt," Lady Rivers, in 1872, and a part of which, being her only remaining property, was now sold for

£1,100. Except for these two visits to London she was closely confined to the cottage; her hat and shawl were locked up, and when strangers came she was ordered to stay upstairs.

On the afternoon of Sunday, April 8th, 1877, Mr. and Mrs. Patrick Staunton took the child to Guy's Hospital, and asked that it might be taken in, as its mother was not able to take care of it. They gave their own address, but said the boy's name was Henry Stormton, and that its father was a carpenter. The child was only taken in by the house surgeon because he saw it was in a dying condition. It died at nine o'clock that evening, and on the following Tuesday, the 10th, Louis Staunton gave instructions for its burial to an undertaker in Southwark. He gave his own name as John Harris, and said that he represented the firm where the father of the child was employed.

On Thursday, April 12th, Louis Staunton and Mrs. Patrick Staunton took lodgings in Forbes Road, Penge, for an invalid lady, and that evening Harriet Staunton, who was now too ill to walk, was put into a wagonette at Cudham and driven to Bromley station. Thence the party, consisting of Louis Staunton, Patrick Staunton and his wife, and Alice Rhodes, came by train to Penge, and the sick woman was taken in a cab to Forbes Road, and carried into the lodgings.

A doctor upon whom Louis Staunton had called that afternoon was then sent for, but he was out and did not return home until late; and not knowing the urgency of the case he did not go round that night.

Mrs. Patrick Staunton and her sister stayed up during the night, and at nine o'clock the next morning Alice Rhodes fetched the doctor. He found Harriet Staunton insensible, the arms rigid, one eye dilated, the other greatly contracted. A nurse was immediately procured, and the doctor paid a second visit, but the invalid never recovered consciousness and about half-past one of the same day she died. The nurse got some water to wash the body, but found it in such a filthy state that she could not do so. It was caked with

dirt that could not be washed off with a flannel. There was a great deal of hair on the head ; it had not been combed or brushed for so long a time that it was full of lice, and had to be left untouched.

When the post-mortem examination was made, six days later, the body was found to be fearfully emaciated and filthily dirty all over, particularly the feet, which the nurse had not examined. The skin of the feet was quite horny, and the feet were caked with dirt. The horny condition would be produced by walking for some time without shoes or stockings. The height of the body was 5 feet 5¼ inches. The ordinary weight in a woman of that height would be between nine and ten stone. Harriet Staunton was thin, and in health only weighed about eight stone ; now the body weighed only 5 st. 4 lb., and the internal organs were proportionally small and light ; there was tubercular deposit at the apex of the left lung and upon the membranes of the brain. The congestion of the upper part of the stomach and of the brain suggested poison, and the condition of the eyes seemed to indicate that a narcotic had been taken or administered ; but an analysis negatived the idea of poisoning, and the conclusion arrived at was that death had been caused by starvation. There was a darkening of the skin which suggested Addison's disease or diabetes, but the only certain indication of the presence of either disease was neglected, for the urine and the supra-renal capsules were not examined. Acting on his observation of the symptoms preceding death and the information given him by the Stauntons, the doctor had given a certificate that the cause of death was primarily cerebral disease, and secondly, apoplexy ; an undertaker had been called in, and the funeral arranged for the following Monday. If it had not been for the mention of Cudham in Louis Staunton's careless conversation at the post-office that funeral would have closed the story of Harriet Staunton, and the famous Penge case would never have been heard of.

On May 19th the coroner's jury gave a verdict of wilful murder against the three Stauntons and Alice Rhodes, and

at the Kent Assizes in July a true bill was found by the grand jury after a very able charge by Sir James Stephen, who laid much stress upon the distinction which should be drawn between the case against Alice Rhodes and that against the Stauntons in whose care Harriet had been. The indictment was removed for trial to the Central Criminal Court upon proof of the strong feeling against the prisoners in the county of Kent, and came on for trial at the Old Bailey before Mr. Justice Hawkins on September 19th.

Alice Rhodes had on July 28th given birth in Maidstone Gaol to a boy who was registered as the son of Louis Staunton.

Sir John Holker (Attorney-General), Sir Hardinge Giffard (Solicitor-General), and Mr. Poland conducted the prosecution ; Montagu Williams and Charles Mathews appeared for Louis Staunton ; I defended Patrick Staunton. Douglas Straight and H. F. Purcell were for Mrs. Patrick, and Percy Gye had what was believed to be by far the easier task of defending Alice Rhodes. We were all members of the junior Bar, and were all instructed by Lewis and Lewis.

Our briefs were delivered in July, as it was expected that the trial would come on at the August session, and we had a full consultation together, and it was agreed that the medical part of the case should be left entirely to me, an arrangement which was loyally adhered to by my colleagues throughout the trial. I gave up the greater part of my intended holiday to working hard at the study of works upon tuberculosis, and upon the post-mortem appearances which would be expected where death had taken place from starvation. At the trial I had unexpected and very valuable help. At the house of my old friend and early client, Mr. George Marsden, the Vestry Clerk of Camberwell, I had met Dr. J. S. Bristowe, a very distinguished physician who was at that time Senior Physician to St. Thomas's Hospital and Examiner to the College of Surgeons. He wrote me a private letter expressing a strong opinion that the post-mortem appearances described by those who had made the examination indicated that death had been caused by

tubercular disease and not by starvation. Then he came to see me in consultation; assisted me by his suggestions as to my cross-examination of the witnesses for the prosecution; and finally came into the witness-box, and concurred with Dr. Payne, a very distinguished pathologist, in giving evidence which, although it was practically ignored by the Judge, had a great effect on the mind of the medical profession, and was the chief cause of the remarkable protest which subsequently caused the setting aside of the death sentence.

My pleasantest memory of this terrible case connects with the Attorney-General. Sir John Holker was a powerful advocate, and one of the kindest and most generous of men. Tall and massive in person, slow and deliberate in movement and in speech, there was a stately simplicity in his manner and his diction which was far more effective than the dramatic gesture and ornate rhetoric of some of his contemporaries. His phrases, spoken in a full richly-toned voice, were made more musical by the slight northern accent which broadened all the vowel sounds. But his great strength as an advocate lay in his instinctive and conspicuous fairness to his opponents. This inspired such confidence in him in judges and in juries that in his day he was almost irresistible on the Northern Circuit. His death in 1882, at the early age of fifty-four, when he had only just been made a Lord Justice, was a heavy loss to the country.

I last saw him early in that year on the sea-front at Brighton. He was in a bath-chair, and his beautiful and devoted wife was walking by his side. She gave up her place to me for a while. It was a lovely spring day, and I expressed a hope that he was enjoying the sunshine. "Ah, my dear Clarke," said he, "a dying man does not enjoy anything."

In the Penge case, and the Detective case which so soon followed it, Sir John Holker gave to the group of younger men who appeared for the defence a splendid example of how a prosecution should be conducted, and I hope the lesson was not lost on any of us, especially on me who came,

nine years later, to the responsibilities of a Law Officer of the Crown.

Apart from questions of medical science the most important evidence in the case was given by Clara Brown, who described the treatment and condition of Harriet Staunton while she was at Cudham. Before the coroner Clara Brown swore that she went about the house and out of the house quite freely; that she was clean and always well fed and clothed; that she knew her husband was living a little way off with Alice Rhodes, who passed as his wife; and that she was in good health until a few days before she was taken to Penge. This account had been corroborated by the Stauntons and Alice Rhodes in their depositions. At the trial Clara Brown made a very different statement. She said that her previous story was wholly untrue and had been dictated by the prisoners; and she now gave a terrible account of neglect, cruelty, and starvation. The putting in of the prisoners' depositions before the coroner told heavily against them.

On Saturday, the fourth day of the trial, the evidence for the prosecution was closed, and I went down to Brighton for a little fresh air, and to finish the preparation of my speech. They had been very trying days. The evident bias of the Judge, and his persistent unfairness, were in striking contrast to the moderation and scrupulous fairness of the Attorney-General, and made the very difficult task of the counsel for the defence almost hopeless. With any judge and any jury the conviction of three of the prisoners for manslaughter, if not for the graver crime of murder, was quite inevitable, and the special duty of the Judge was to take care that the case against Alice Rhodes was separately considered, and that the medical evidence, upon which the doubt arose whether the graver crime had been in fact committed, should be carefully examined. Neither of these duties was discharged; they were not even attempted.

I hope I may be forgiven for quoting the peroration of my speech. Forty years have passed since it was spoken, and I believe I can now judge it with the impartial detach-

ment of old age. I think that in its personal appeal to the hearers, which covers an argument that is maintained to the very last sentence, it more nearly realised my ideal of what a peroration should be than did the closing passage of any other speech I ever made.

Now, gentlemen, I believe that I have almost finished the observations that I have to make to you. I urge upon you that there is no evidence which would justify you in bringing a verdict of guilty of murder against the man for whom I appear in this case. And I do urge upon you most seriously, in asking for your anxious consideration, that there is no evidence that he is guilty of the crime of manslaughter. I am anxious to urge this upon you, for I beg you not to look upon it as if manslaughter were a crime involved or necessarily to be decided by the other. When you have dismissed, as I hope you will dismiss, the charge of murder against him, it is for you then carefully to consider whether there is evidence against him of this negligence, and carelessness, and recklessness, as to which my lord will direct you. I have no desire to anticipate a phrase which would entitle you to find a verdict of manslaughter. Is not there only the mistake—the honest mistake of which I have spoken, the mistake for which he has suffered the most terrible punishment, to be for months in gaol awaiting his trial for life, to know that while he lay in one cell of that gaol, in another cell of that shameful birthplace his wife is bringing forth the child of their love; to have to give up everything that he possesses to supply the means of facing a criminal trial like this; to sit—I was about to forget the worst of all—to have to sit for five or six days listening to these discussions going on, and, I fear very much, thinking now and then how much was being left unsaid that should be said for him, how much was being left unasked that might have brought an answer in his favour?

All this would have been to him an insupportable agony, it would have constituted to me in this trial a responsibility almost too great to bear, if he, and I as his advocate, had not been sustained by the knowledge of the way in which a jury deals with a question of life and death. Gentlemen, in a case of this kind, would you venture as Christian men to pronounce a verdict of guilty unless you were satisfied beyond reasonable doubt, by evidence which was accurate,

and clear, and trustworthy, and satisfied you to the hilt of the matters which were alleged, and with which you were asked to deal? Will you venture to rely thoroughly upon the controverted conclusions of the doctors who have dealt with the medical evidence, or upon the shameless evidence of that girl who came into the witness-box admitting herself a perjurer before the coroner, and proclaiming herself in this court to be the accomplice in the crime she denounces?

Gentlemen, human justice is depicted as blind. It is not given to human justice to see and to know, as the great Eternal knows, the thoughts and feelings and actions of all men. She has to depend on what she hears. She must depend on recollection. She must depend on testimony. She must depend on inferences. How should she deal with the irrevocable issues of life and death unless those recollections are exact, that testimony trustworthy, those inferences uncontradicted? How should she lift the sword to strike—and you, gentlemen, guide her hand to-day—while at the moment that the accusing voice is in her ear denouncing the crime the echo of that very voice is heard proclaiming that the prisoners are innocent, and when passionless science steps to her side to warn her that there may have been in truth no crime committed?

No one who spent the long hours of Wednesday, September 26th, 1877, in the Central Criminal Court could ever forget that day. Public feeling had been greatly excited by the reports of the trial, and long before the Court sat a restless crowd was moving up and down the Old Bailey. When at half-past ten the Judge took his seat every corner of the Court was filled, and well-dressed women, favoured occupants of the choicest seats, stared through lorgnettes and opera-glasses at the four pale and weary creatures who came to their places in the dock. Then began the strangest summing-up that was ever heard in a criminal case. Speaking in a gentle, clear, beautifully modulated voice, the Judge set himself to recapitulate all the facts, however trivial and unimportant, which had been related in the evidence of the last four days. As an exhibition of tenacious and exact memory it was wonderful. The narrative was complete and perfectly arranged. But of the

judicial fairness which should characterise a summing-up, especially in so grave a case as this, there was not the slightest trace; there was constant emphasis upon the facts which told against the prisoners, and every point which had been made in their favour was answered, or turned aside as being of no importance.

All the morning the stream of fact and comment went slowly on, and when the luncheon hour came three hours had only brought the narrative to the date when Harriet Staunton, six months before her death, paid her last visit to her solicitor in London.

The worst instance of the Judge's unfairness was to come later in the way he dealt with the medical evidence. That raised the gravest issue in the case, and almost one-half of the time spent by the Attorney-General in his reply in discussion of the facts was devoted to its consideration. During the half-hour allowed for lunch Montagu Williams came to me and said: "Hawkins wants to know if you wish him to deal with the medical evidence, and says that if he does he will have to make some serious observations which will not help you." I said: "That is not a question for me to answer: I have done my duty: the responsibility for the summing-up is with the Judge, not with me." Sir Henry scarcely dealt with that evidence at all: of the forty-two pages which are occupied by the summing-up in the full report of the trial less than a single page is given to the medical question on which so much important evidence had been produced.

The day dragged on. The afternoon sun looked in through the large west window above the jury-box, and made the closely shut court more stuffy, and the listeners more drowsy, as hour by hour the monotonous murmur of the untiring voice went on. Sunshine had gone when four more hours had only brought the story to the arrival at Penge, and the conflict of medical opinion had not been touched when the Judge suggested a short adjournment, and the jury were allowed a quarter of an hour's respite. Then, soon after six o'clock the murmur began again, and for three hours

and a half no other sound was heard. At last came the finish, and the jury, tired and almost dazed, wearily went out to their deliberation. Theirs was a task which should have been performed when the memory and judgement were clear and active; when the mind was fully capable of drawing the conclusions and distinctions on which the verdict depended. I thought then, and I think now, writing forty years later, that only a wicked judge would have sent out a jury at nearly ten o'clock at night, exhausted by sitting in one place for nearly eleven hours listening to a single voice, to consider a verdict involving the lives of four human beings, whose cases required separate consideration, and against whom popular feeling had been so strongly excited and expressed that only the greatest care could secure for them a calm and considerate judgement; and, in the case of Alice Rhodes, without the least attempt to warn them that the evidence against her, as Sir James Stephen had pointed out in charging the grand jury, upon whose finding of a true bill the prisoners were being arraigned, was of the slightest possible kind.

The jury were out for an hour and a half. It was a strange and terrible sight when we went back into the court. Its sides and corners and roof were deep in shadow; the insufficient gas-light, feebly helped by candles which flared and guttered here and there, only faintly lighted the front row of the counsel, and the faces of the four prisoners, and the jurymen coming back to their seats.

"Gentlemen of the jury, have you agreed upon your verdict?"—"We have."

"Do you find the prisoner Louis Adolphus Edmund Staunton guilty of the murder of which he stands indicted, or not guilty?"—"Guilty."

All eyes are turned at once towards the dock. Ever since two o'clock that afternoon a doctor had sat at Louis Staunton's elbow; the strange grey ashen colour of the prisoner's face seemed to threaten a collapse. Now the face may be a shade whiter, the hands grip the front of the dock, but that is all.

"Do you find the prisoner Patrick Llewellyn Staunton guilty of the murder of which he stands indicted, or not guilty?"—"Guilty."

As the word is spoken Mrs. Patrick catches at her husband's hand. In a strange broken voice, half scream and half a gasp, she cries out: "We can bear it, for we know it is not true." I think she scarcely heard the question about herself or the answer, Guilty.

"Do you find the prisoner Alice Rhodes guilty of the murder of which she stands indicted, or not guilty?"—"Guilty."

There is a slight shiver in the court, a little sob of compassion as the girl falls back fainting into her chair.

"The jury recommend both female prisoners to mercy, and we strongly recommend Alice Rhodes."

Then in pitiless tones the Judge pronounces the sentence of death. He tells them that they plotted together to commit a crime so black and hideous that he believes in all the records of crime it would be difficult to find its parallel. Then he puts the finishing touch to the iniquity of his own behaviour by telling them that he is satisfied (although no evidence had been given) that they contemplated and brought about the death of Harriet Staunton's infant child.

As he spoke we could hear the exultant shouts of the crowd which, although it was nearing midnight, still waited in the neighbouring streets.

The misconduct of the Judge saved the prisoners' lives. The indignant protests of Charles Reade and Clement Scott might not have availed, but when *The Lancet* made a strong appeal to the medical profession, and four hundred doctors, with Sir William Jenner at their head, signed a declaration that they were convinced that the morbid appearances observed in the post-mortem examination of Harriet Staunton's body were such as to indicate death from cerebral disease, and that the symptoms recorded during life, and especially those immediately preceding death, were not symptoms of starvation but were the usual and characteristic symptoms of certain forms of disease of the

brain, it became clear that the death penalty could not be inflicted, and on October 14th the prisoners were reprieved.

A little later Alice Rhodes was set free, and the sentence on the others was commuted to penal servitude for life. I may as well complete the story. Patrick Staunton died in prison not long after his conviction. His wife was released after a few years, and in another name found an occupation in which she made herself a prosperous position. In 1897 a relative of Louis Staunton called to see me and said that he was about to be released, and asked if I would do anything to help him in earning a living. I said I should like to see him, and presently there came to my chambers a middle-aged man, with subdued voice and gentle manner, whom of course I could not recognise. I had a long interview with him, for I was curious to know what sort of impression twenty years of penal servitude would leave upon a man. Upon him it seemed to have left no impression at all. He never once spoke of it as having involved suffering, and there was only one incident in the whole of the twenty years which seemed to have fixed itself in his mind as a subject of painful recollection. He told me that when he was at Portland, rather early in the time, he one day passed in front of the Governor when he was speaking to some one. The Governor caught him by the shoulder and flung him down, and in falling he struck his head against a table and cut it rather badly. He said he resolved to complain of the Governor, but was advised not to do so, and that he followed the advice and was glad afterwards that he acted upon it. So far as I could gather this was the only event in the whole twenty years which had left on his mind the remembrance of hardship or suffering. I found he wanted to be employed in his relative's business, and I said I would either give him £2 a week for two years, which I thought the best way to secure him from want, or I would give him £100 at once which he could put in the business he proposed to join.

The £100 was about the same as the amount of the

fees I had received in the case, which had brought me great rewards. He chose the capital sum, joined his relative, and worked in that business for two or three years. When I last saw him, about seven years later, he was married and had a child, and was in business for himself in the name he had assumed when he left the gaol, and he was doing well.

Sir Henry Hawkins continued his career of public disservice. There were other cases, notably the Hansard Union case, the Portsea Island Building Society case, and the Salisbury Baby case, in which his worst characteristics were shown, and when he retired in 1898 I wrote to Sir Richard Webster, the Attorney-General, to say that if it were proposed to follow in his case the very mischievous practice which had then sprung up of having a public leave-taking at which the Attorney-General made a complimentary speech attributing all sorts of virtue to the retiring judge, I should make a public protest.

The protest did not become necessary, for Sir Henry went one afternoon to the Middle Temple Hall and there took leave of his friends.

CHAPTER XIV

THE DETECTIVE CASE: 1877 [1]

On the day that Harriet Staunton died at Penge and Louis made his disastrous mention of Cudham at the local post-office, Baron Huddleston at the Old Bailey began the trial of the actors in what was known as the Great Turf Fraud. In the latter part of 1876 a group of swindlers, all well known to the police, had carried out a singularly elaborate and daring scheme of plunder. They sent by post to wealthy persons in France a sham newspaper, which told the story of a Mr. Montgomery who had such wonderful knowledge and judgement in racing matters that the bookmakers, who had already lost to him half a million of money, would not take his bets, and so compelled him to speculate by indirect methods. He asked his foreign friends to help him by sending to certain bookmakers whom he would name cheques which he would provide, for bets on the horses he wished to back. There would be no risk whatever, and those who were good enough to do him this service should have 10 per cent. of his winnings. They could also back these horses on their own account, thus having the advantage of his advice.

The conspirators, under various aliases, took rooms in different postal districts in the West End of London and played the part of the bookmakers with whom the bets were to be made. A thousand cheques were printed and stamped bearing the name of a non-existent bank, and were sent out to the would-be investors, and by them forwarded to

[1] A fuller account of this case appeared in *The Cornhill Magazine* for August 1915.

the sham bookmakers. The bait took. So many persons were anxious to secure the whole profit instead of only 10 per cent. that, with the sham cheques which they themselves provided, the swindlers received real cheques for bets on the selected horses, and in the course of a single month they had netted about £15,000.

The fraud was soon discovered, and on September 25th a solicitor named Abrahams, who practised in London and Paris, went to Scotland Yard, where the case was put into the hands of the Chief Inspector Druscovich, one of the ablest and most trusted members of the detective force, who had been in the service sixteen years, and had earned rapid promotion and several special rewards.

The ingenuity of the scheme was remarkable, but still more remarkable was the fact that although the men concerned and their residences and their haunts were quite well known to the police it was not until December that any arrest was made. During the interval the swindlers travelled about England and Scotland, making hardly any attempt at concealment, and spending freely the money that had come to their hands. Eventually in April 1877 they were convicted before Baron Huddleston, and were sentenced to long terms of penal servitude.

Evidence given at the trial showed quite clearly that they must have been assisted by the police officers who had been employed to arrest them, and soon after their conviction the conspirators made statements which involved four of the most important members of the Scotland Yard detective force. They alleged that Druscovich had from time to time given them information as to the complaints which were made and the numbers of the bank-notes which were stopped, and had actually met one of them by appointment in Edinburgh on November 10th, and had arranged to delay his journey to the place where they had been staying, so as to enable them to get clear away. They said that another trusted detective named Meiklejohn had been in their pay for several years, and had given them information as to complaints, had warned

them when it was decided to apply for warrants, had sometimes succeeded in stopping inconvenient inquiries, and had during the very ineffectual pursuit of this autumn advised them as to the best means of avoiding capture. They also alleged that George Clarke was an accomplice, and had been well paid for his services. This last accusation was for a time absolutely disbelieved. Clarke was the senior officer of the detective force at Scotland Yard, and when Superintendent Williamson was away he took charge of the office. He had been in the police force thirty-seven years, and since 1869 had been much engaged in suppressing offences against the betting laws, and had shown great energy, industry, and skill in procuring the conviction of many persons for such offences. But the statements were so definite, and in some important respects were so strongly confirmed, that eventually Clarke was included in the charge of conspiracy to defeat the ends of justice. After many hearings at Bow Street, Clarke, Druscovich, Meiklejohn, and another well-trusted inspector named Palmer, together with Edward Froggatt, a London solicitor, were committed for trial.

My speech in the Penge case was then attracting a good deal of attention. Clarke came to me with an introduction from Mr. George Lewis, assured me that he was innocent, and begged me to defend him, and in consideration of his slender means to accept a small fee and very small refreshers. I believed him and sympathised with him, and agreed to a refresher of five guineas a day, half the amount which had been paid me in the Staunton case.

The trial, which began at the Old Bailey on October 24th, 1877, was the longest which has ever taken place in that Court. There were several Jews on the jury, and at their request the Judge agreed not to sit on Saturdays. Twenty full days were occupied by the trial; eighty-seven witnesses were examined for the prosecution; one day was filled by the Attorney-General's opening, and nearly two days by his reply.

Sir John Holker's opening completely explained the

strange delay which had taken place in bringing to justice the contrivers of the Great Turf Fraud. The concocters and chief actors in that fraud were two young men named Harry Benson and William Kurr. Benson was an Englishman, born in Paris, where his father was in business. In 1871 he had attempted a fraud on the French Relief Committee at the Mansion House by representing himself as a French Marquis from a town in France which had been burnt by the Germans, and whose inhabitants were in the greatest distress. For this he had been sentenced to twelve months' imprisonment. He spent this period in the prison infirmary, for while awaiting trial he had tried to commit suicide by setting on fire the bed on which he was lying, and although his life was saved his legs were so severely burnt that he was ever afterwards a hopeless cripple. In 1874 he was in lodgings at Dalston when he became acquainted with William Kurr, and thenceforward he was the contriver and Kurr was the chief actor in the schemes of fraud. With money obtained by one successful adventure Benson went in January 1875 to the Isle of Wight, and there in the name of Yonge, which he had adopted on leaving prison, he took a pleasant house at Shanklin called Rosebank. An elderly widow, Mrs. Avis, with whom he had lodged at Dalston, came there to be his housekeeper. He had, besides two female servants, a coachman, a footman, and a French valet; he kept two carriages; and he let it be understood that he was really a French nobleman, even of princely rank, and on terms of friendship with the Empress of Austria. Vivacious, intelligent, and well educated, an accomplished musician, himself a composer, he was soon accepted as a pleasant associate by some of the good society of the Isle of Wight, and the occasional accidental dropping of a handkerchief with an embroidered coronet and the letter "M," which was supposed to stand for Murat, gave a touch of interesting mystery to the acquaintance.

The purchase of a controlling interest in a local newspaper was useful in establishing his position. William Kurr when he made Benson's acquaintance was only twenty-

three years of age. As a boy of fourteen he had been a clerk in the office of the South-Eastern Railway, but a year in that employment tired him of respectability, and he became a betting tout and clerk to fraudulent bookmakers and money-lenders, and according to his own account given at this trial he lived from the year 1871 onwards by plundering and swindling the public. He kept, and carefully docketed, and placed in safe places of deposit, all the letters and telegrams which he at any time received from his accomplices in the police force, and which, useful as they had been in maintaining his hold upon them, were now used to obtain his own release from the penal servitude to which he had been sentenced. Their production, and the independent confirmatory evidence which was now forthcoming, made any effective defence of Druscovich, Meiklejohn, Palmer, and Froggatt quite impossible. Bank-notes which were unquestionably the proceeds of the fraud were traced to the possession of Druscovich and Meiklejohn; an important letter and telegram which warned Benson of pursuit were in the handwriting of Palmer; a forged telegram which nearly produced the release of the fugitives when they had been arrested at Rotterdam was in the handwriting of Froggatt; and although my colleagues did valiantly all that could be done for their clients, the only chance of escaping the conviction of either of these four prisoners lay in the possibility that one or two members of the jury, who of course went to their homes every night, might be corrupted and induced to refuse to agree to a verdict of guilty. The authorities were somewhat uneasy about this, and upon some jurymen who lived in the east of London a careful watch was kept.

In Clarke's case there was room for doubt, and my task in defending him was very interesting, but not very easy. He had been three times to see Benson at Shanklin in 1875; once with the knowledge of Superintendent Williamson and upon an innocent errand. The two later visits were paid without the knowledge of his superiors, and were not reported at the office. Benson said that on the second visit

he had paid Clarke £50 in gold. Kurr said that on September 25th, 1876, when information of the fraud came to Scotland Yard, Clarke saw him and asked if the French notes had been changed.

This precaution had been taken, and it was not until three days later that the English bank-notes for which they had been exchanged were stopped at the bank, and warrants issued for the arrest of the criminals.

Even then the warrants were taken out, not in their real and well-known names, but in the fictitious names which they had assumed for the purposes of the fraud. Kurr said that a week later he gave Clarke £150 in gold, and gave Meiklejohn a cigar box with £200 in gold in it to give to Druscovich.

Meiklejohn was paid £500 three weeks afterwards, and so safe did the conspirators think themselves that he took it in five £100 notes of the Clydesdale Bank, which Benson, by a very bold trick, had obtained in exchange for the English notes which had been stopped.

If the evidence of Benson and Kurr were accepted the proof of guilt was, of course, complete; and the great strength of that evidence, as Sir John Holker pointed out, lay in the fact that their statements to the Treasury Solicitor, afterwards repeated in the witness-box, were given separately, without any opportunity of communication, or of either of them learning what the other had said, were in complete agreement, and that in the long and detailed narrative, full of details and of dates, scarcely any inconsistencies could be detected.

Again it seemed scarcely possible that during three months, while Meiklejohn and Druscovich and Palmer were doing their parts in a conspiracy to prevent the arrest of Benson and Kurr, the chief inspector at Scotland Yard, who had himself been three times to the Isle of Wight to see Benson, and knew that he was in some way associated with betting frauds, should have failed to suspect that his immediate subordinates were responsible for the strange delays which were hindering the course of justice.

The evidence of the convicted criminals again had some important corroboration.

A man who had been in Benson's service as valet from June to Christmas in 1875 said that besides seeing Inspector Clarke upon his visits to Shanklin he saw him visit Benson at the Westminster Palace Hotel and the Langham Hotel; and that on another occasion he went with Benson to Clarke's house, and that Clarke came out and was talking to Benson for twenty minutes. This confirmed statements made by Kurr and Benson.

A cabdriver was called and said that in the autumn of 1876 he drove Kurr from his house in Marquess Road, Canonbury, to the corner of Great College Street, Westminster (where Clarke lived), set him down there, and waited for him about half an hour; and that about a fortnight later he again drove him to the same place, waited for him half an hour or three-quarters of an hour, and then drove him back to the Marquess Road. This was the visit at which Kurr stated that he gave Clarke £150 in gold.

But the most difficult evidence to deal with was that which related to Clarke's correspondence with Benson.

Mr. H. R. Clarke, the principal of the Shanklin College, Isle of Wight, gave a curious little bit of evidence. He was the owner of Rosebank, which he had let to Benson. In August 1876 at Benson's request he went to the house and took possession of all the letters he found there. From these he, according to Benson's instructions, selected the letters and telegrams sent by Clarke, and put them in a packet, and sent them by post to 324, Essex Road, Islington. But he made a mistake in the name, and addressed them to "Watson" instead of "Hawkins." They were returned to the Dead Letter Office, and remained there until after Benson had been convicted, and had given information to the Treasury Solicitor. All the other letters at Rosebank were destroyed.

These letters now produced were dated April 19th and 26th and June 16th and 18th, 1875. No official note had been made of their dispatch. There was nothing

actually compromising in their contents, but they referred to letters which had been received from Benson and which Clarke had not reported or preserved.

The evidence of the next witness appeared to make the case complete.

Mrs. Avis was a respectable woman about sixty years of age, with whom Benson had lodged in 1873 and 1874 and who was housekeeper at Rosebank in 1875. Benson in his evidence had said, " I got Mrs. Avis to copy my letters to Clarke, or some of them, because I did not wish that any of my handwriting should fall into his hands. Some of the letters she copied were written between April 13th and July 5th, 1875. I was last at Shanklin on June 27th, 1876."

Mrs. Avis now said that of the last four letters she thus copied she kept the drafts, and that she posted some of the copies herself to the address which Benson gave her, " George Clarke, Esq., 20, Great College Street, Westminster." When she left Rosebank these four drafts were the only ones she took with her, and they remained in her hands until she gave them to the Treasury Solicitor in May 1877, after Benson and his accomplices had been convicted.

The drafts now produced were all in Benson's handwriting, and the dates of two of them, June 15th and 17th, corresponded with Clarke's letters of June 16th and 18th which had been rescued from the Dead Letter Office.

The importance of this evidence could not be denied. In each letter Benson referred to his " debt " to Clarke and his desire to pay it, speaking of it on one occasion as a debt due to Mrs. Clarke.

The first letter asked Clarke to come to Shanklin, and the postscript said, " If you do not like to write, merely let me know what time I may expect you, as it is urgent I should see you before Saturday." An undated draft contained a still more compromising sentence. " It is quite possible that in a day or two I shall have to come to London, and I hope you will appoint a place where to see you, unknown to any one. I shall then have pleasure in acquitting myself of the balance due to you. Please return this letter to me."

There was another portion of the evidence which bore heavily against my client. In the correspondence between the confederates, especially between Kurr and Meiklejohn, Inspector Clarke was frequently mentioned as " C," " the Chieftain," " the Old Man," and " the Old Man of the Duke of York's Column." No statement in that correspondence directly implicated Clarke, nor would it have been evidence against him if it had, but it was clear that, rightly or wrongly, the conspirators believed that they had nothing to fear from the Chief Inspector of the Detective Police.

It will be realised that my task in defending my client was a very difficult one. It would, indeed, in my opinion, have been practically impossible to obtain an acquittal if at that time the law had permitted accused persons to be called as witnesses. The strange rule which then prevailed by which neither a prisoner nor his wife was a competent witness, a rule which was the worst example of judge-made law which I have ever known, often operated cruelly against an innocent person, but in nine cases out of ten it was of advantage to the guilty. The change in the law which has very properly been made has seriously reduced the opportunities of the advocate. A brilliant speech before the prisoner is called is dangerous ; when the prisoner has been called it is often impossible.

My cross-examination in the Detective case was careful but by no means long. It is a very useful general rule that you should not cross-examine when you cannot contradict. By provoking a repetition of the story you fix it on the minds of the jury, and you run the risk of the mention of some fresh detail which may be a strong, perhaps a conclusive, evidence of its truth.

So I cross-examined William Kurr and Mrs. Avis very briefly, although even then one incautious question to Mrs. Avis did me some mischief.

Harry Benson required special treatment. My chief object was to show him at his best ; as the polished and educated man who was capable of deceiving and outwitting even a trained inspector of police. He looked little like

that when my turn came to cross-examine him. He was ill; it was the afternoon of his third day in the witness-box; and all that morning he had been cross-examined with just severity, but with some roughness, by Montagu Williams.

As he sat in the chair put for him in the witness-box, in the ugly convict's clothes, hair cropped, face worn with illness and fatigue, he was a pitiful object. My first words brought a change. "Now, Mr. Benson, I have a few questions to ask you." It was the first time for months that he had been spoken to in any tone of courtesy. His face lit up, he rose to his feet, bowed in acknowledgement, and stood with an air of deference, waiting to reply. Then I asked him about his education, his musical accomplishments, his friends in society at the Isle of Wight, and the appointments of his pleasant home at Shanklin; and before the friendly conversation had lasted ten minutes, I felt that my object had been attained.

The refinement and even distinction of manner, which had imposed upon Sir Thomas Dakin and Mr. Alfred Rothschild, again became perceptible, and while it did not influence the jury to believe his evidence, it made them think it possible that even Inspector Clarke might have been deceived.

There was another witness who needed very careful cross-examination. Superintendent Williamson was called to produce reports which had from time to time been made by the accused officers, and to prove the handwriting of some of the documents. He also produced an envelope addressed to Giffard, Bridge of Allan, in Kurr's handwriting, which had been posted in London on November 10th, and contained a piece of blotting-paper with the printed characters which it was alleged Clarke had sent.

Now Mr. Williamson had been associated with Inspector Clarke in the detective work at Scotland Yard for many years; had found him a most valuable assistant; had treated him with entire confidence; and, until the occurrence of the strange difficulties and delays in the arrest of Benson and Kurr, had never seen cause to doubt his fidelity. I was informed that he still had some friendly feeling towards his

old colleague, and that he would not be sorry if his evidence were to assist me in my defence. But he was a man of the strictest honour, and every question would certainly be truly answered, whatever the effect of the answer might be. My task therefore was so to frame my questions that each should bring a reply in my client's favour, without provoking any qualifying phrase which would indicate the opinion of the witness on the case actually before the jury. On that task I spent many hours. I prepared questions and answers as if I were studying a chess problem, seeing how far it would be possible to follow up and emphasise with safety the favourable answers which I knew some of my questions must receive. My labour was well rewarded, and Superintendent Williamson's evidence did much to help me to success.

The first week of the trial—the opening speech of Sir John Holker and the evidence of Kurr and Benson—was very interesting. The second and third weeks, with the long procession of witnesses to prove the details of the story, were very dull, and then came the final speeches.

My speech for Clarke was the most elaborately prepared of all my forensic speeches. I had three weeks for its preparation, and plenty of time for drafting it while unimportant witnesses were being examined.

I have no room for quotation, and the speech if read at all should be read as a whole. Then the purpose of its arrangement will be seen. My scheme was to throw all my strength into an exordium which might make the jury feel that such an accusation made against a man of stainless reputation and long-continued public service was really incredible. Then, when I came to deal, discreetly and not in too great detail, with the serious evidence against him, each of the twelve minds which it was my duty to influence would be predisposed, and even eager, to reject or explain away, or wholly to ignore, facts which were inconsistent with the conclusion at which it had already, if unconsciously, arrived. The peroration was intended to sweep away any lingering doubts by the confidence of its rhetorical appeal for an acquittal.

By far the larger part of the Attorney-General's reply was devoted to the case against Clarke. While he was speaking Sir Hardinge Giffard came in and sat beside me. Presently he said to me, " He is putting in some pretty heavy shot." " Yes," said I, " he is, but I think I have made a Plevna of my own." Europe was then ringing with the story of the magnificent defence which has been a warning to the world ever since of the formidable fighting power of the Turk.

My illustration was accurate. After the trial I was told by one of the jury, either Mr. Wertheimer, the foreman, or Mr. Godfrey Pearse, that at the end of my speech the jury practically agreed that Clarke must be acquitted, and did not pay very great attention to Sir John Holker's subsequent examination of the evidence. There was a model summing-up by the Judge, clear, complete, but not over-elaborate, and quite impartial, and then, after fifty minutes' consideration, which, I believe, was entirely concerned with the question which, if any, of the prisoners should be recommended to mercy, they gave their verdict of " Guilty " against Meiklejohn, Druscovich, Palmer, and Froggatt, and, amid cheering in the Court and in the street, found Clarke " Not Guilty."

Druscovich and Palmer were recommended to mercy; but Baron Pollock said that the highest sentence he had power to pass was quite inadequate as punishment for so grave an offence, and sentenced them all to two years' imprisonment with hard labour.

Inspector Clarke was at once retired from the detective service upon a substantial pension.

The convicts who had given evidence were soon afterwards released, and I know nothing of their subsequent history, except that Benson was some years later convicted of fraud in New York, and imprisoned in the Sing Sing gaol. One day he flung himself over the balustrade of the well staircase of the prison, and was killed by the fall.

Palmer was more sinned against than sinning. He knew nothing of Kurr or Benson, and had received no bribe from any one. He had been persuaded by some one more astute

than himself to write the telegram and letter whose production convicted him, and in loyalty to his fellow prisoners he kept silence. After his term of imprisonment had expired he was allowed by the Surrey magistrates, partly at my instance, to become the holder of a public-house licence, and I believe did well.

CHAPTER XV

SOUTHWARK: 1877–1880

THE two cases which I have just described were valuable to me in many ways. The actual fees which I received were not large; in the Penge case, which lasted for seven days, I had forty guineas on my brief and ten guineas a day refresher; in the detective case, which lasted twenty days, my total fees were under two hundred guineas. But the opportunity came to me at the stage of my professional career when it was most valuable, and when I was at the age when my powers, such as they were, had reached their full strength; and I was able to make two speeches which I place among the six forensic speeches by which I hope to be remembered.

The immediate effects were very pleasant. A chorus of eulogy in the press made my name very widely known; my income rose at once from £3,000 to £5,000, and continued to progress from that higher level. I had come to the front rank in my profession, and now I determined to go forward with all my energy in the work of politics. My candidature for Southwark was decided upon at a meeting of the Conservative Association in July 1878, and it was formally inaugurated in 1879, in view of the approaching dissolution, by a banquet at the Bridge House Hotel on February 13th, a date which has been curiously important in my political history; and from that time forward I was continuously at work in the borough of Southwark.

I lectured on various subjects at parochial schoolrooms; joined Conservative clubs and spoke at their smoking

concerts, subscribed to athletic clubs and presided at their dinners; and was always seen and very often heard at public functions in the borough. The fact that I attended the Surrey Sessions at Newington, then within the parliamentary borough of Southwark, and had a large practice at the Licensing Sessions, amounting indeed to about £600 a year, was of course a great advantage to me, and made me thoroughly familiar with the neighbourhood, and personally known to a class of men who at that time, when election committee rooms were almost invariably found at public-houses, had an even larger influence at elections than they at present possess.

But with all these advantages and with all my activity I was not satisfied with the progress made. In those days the circulation of newspapers in a working-class constituency was very small. We had no local Conservative paper. Outside the private rooms of a handful of large traders and wharfingers the *Times* was never seen, and the cheaper daily papers rarely mentioned the political affairs of a South London district. If they had, very few of the electors would have seen them. I determined to try to lessen at all events this disadvantage by having a weekly paper of our own.

There existed an old-established paper called *The Kentish Mercury*, which was published by Messrs. Mercer and Butcher at Deptford, and was edited by a very able journalist and staunch old Tory, one James Watson.

I went to the proprietors and suggested that they should publish a separate edition of *The Kentish Mercury* to be called *The Southwark Mercury*, which should contain in its two central pages nothing but Southwark news, and should have half a column of advertisement space which should be at our disposal for any political announcements we wished to make; and I asked me what terms they would issue such a paper. They said they would do this upon a subscription to be paid in advance at a penny per copy for two years. It was originally suggested that 2,000 copies should be delivered in parcels of 500 each at four Conservative

clubs in different parts of the borough, but we found we should then be in much difficulty in distributing the paper, and eventually it was agreed that we should pay the subscription for the 2,000 copies, but that instead of that number being delivered at the clubs, 1,200 copies should be sent by post to addresses which we would supply. We had some difficulty in getting subscribers, and of the £866 required I think I had to find £500 myself, but the money was well spent.

There were in the borough some eight hundred public-houses, beer houses, and coffee houses, and to each of these a copy of the paper was sent free of charge every week.

The first number appeared on January 4th, 1879, and I have no doubt whatever that it was in great measure owing to this paper that I had the triumphant success which came to me a year later. I was in constant communication with the editor as to what should appear in the columns of Southwark news, and the speeches I made and the lectures I delivered were well reported, and so I was enabled to make a general appeal to the constituency which would not have been possible in any other way.

And every now and then a good strong well-written leading article pointed out to the voters how great was their good fortune in having the opportunity of sending me to the House of Commons.

All things went well with me. In strong health, with a loving wife and three dear children, an income rapidly growing far beyond my needs, and the prospect of political success brightening before me, I was indeed a happy man.

People often speak lightly of such and such a day as being the happiest day of their lives. One of the very happiest of mine was June 14th, 1879. It was a beautiful summer Saturday, and before I left home in the morning I arranged a little excursion with my wife and children for the afternoon.

At chambers I found a letter from the Attorney-General.

DEAR CLARKE,

Would you like to hold the office of Attorney-General's Devil? If yes, I will confer it upon you. Please let me have an answer at your earliest convenience.

I remain,

Yours sincerely,

JOHN HOLKER.

It was a very tempting offer. Bowen, who had just been made a judge, after seven years' tenure of this office, was said to have earned an income of £11,000 a year, and although mine already reached £5,500, the difference was not unimportant. Besides, the work of the Junior Counsel to the Treasury was regular and certain, and by almost unbroken rule it led in due time to a judgeship. But I went to Sir John Holker's room resolved to refuse it, and I told him so. He was very kind; he pointed out the value of the position, reminded me of the reversionary judgeship, and warned me not to make a hurried decision which I might afterwards regret.

I was firm, and said I was earning more than I needed for my ordinary wants, that I had every hope that my income would go on increasing, and that my ambition to sit in the House of Commons looked likely to be fulfilled at the next election. He listened; suggested reasons for not refusing, and at last said, "Well, have you made up your mind?"

"Yes," said I; "I thank you very much for the offer, and shall always be very proud of it, but I finally refuse."

"Then," said he, shaking my hand, "I tell you you are quite right. You will enjoy Parliament, and I believe you will have a great career."

Then he asked me to whom he should give the post. I told him I thought that question was a greater compliment to me than the offer had been, and said there were two men at the Bar either of whom would make an excellent appointment. They were J. C. Mathew and A. L. Smith. Mathew, I said, was in all the big commercial cases, and would certainly get a judgeship soon, and he was not a man of strong physique.

But A. L. Smith was a strong man, a splendid worker, the very ideal of a Treasury Counsel. "Then," said the Attorney-General, "I will give it to him."

When I left the room my excellent clerk, John Peacock, who had then been with me eleven years and who had guessed the reason of the interview, was anxiously waiting to hear the result, and looked very sad when I told him I had refused. "Why—whatever do you want, sir?" said he. "Well, John," I said, "I should like to have ten years in the House of Commons and be Solicitor-General."

I went to Waterloo to meet my dear ones, and we travelled to Richmond, where the Inns of Court Rifles, of which I had been for some years a member, were in camp and having a reception and some sports.

After a pleasant hour there we walked on through the park to Twickenham Ferry. My dear wife was full of joy and pride, my girl of ten and my boy of seven danced along beside us. We were all in perfect health, all as happy as human souls can be; no earthly blessedness was denied us.

I have never since that day felt the glow of perfect happiness without trembling to think of what the future might have in store.

Within a week my dear mother's health had broken down, and she had passed into the condition of a hopeless invalid, to linger on for three years of mental and physical decay. Within a month a sudden and previously unknown or unnoticed cough had alarmed me about my wife, and I had received from Sir Andrew Clark, to whom at once I took her, a letter telling me that her lungs were so seriously affected that she could not live for more than two years. In less than four months my darling little Mabel, who on that June day had looked a very picture of childish life and beauty, died of tubercular meningitis.

I had taken my wife to Devonshire that autumn in the hope that the softer air would relieve the cruel cough which was now wearing down her strength, and had then left her with friends at Petersfield while I came back to work.

One evening my little girl leaned her head upon my

shoulder and complained of headache. The next day it continued and her eyes had a strange look.

I fetched her mother to town and called in a noted expert in children's ailments. He took me to the door when he left, and told me to break it to my wife that the case was hopeless, and that our child could not live for many days. A week later I held her hand, and repeated Greenwood's exquisite poem, but I do not think she heard me.

"It is only a falling asleep 'twixt the evening and morning light."
"Good-night then, papa, and God bless you." "My darling, my darling, good-night."

So in three years from that day when I seemed to touch the very height of earthly happiness, child, wife, and mother were all to be lost.

The year 1880 opened sadly. The loss of our dear little daughter had fallen very heavily on my wife and myself, and there was the ever-present trouble of her own gradually failing health. The winter in London tried her too much, so I took rooms for her at Hastings, and went down myself from Saturday to Monday. My legal work was very trying, for the earning of between £5,000 and £6,000 a year in junior practice means very long hours of work and a great deal of monotonous if not difficult labour; and the coming election, which could not be long delayed, kept me constantly busy with meetings and dinners at Southwark, and in the work which had to be done for *The Southwark Mercury*.

I felt very weary and depressed, and even thought of asking to be released from my candidature, when suddenly the opportunity came to which I had so long been looking forward.

The story of the Southwark election may be partly told in the letters which I found rather more than a year later in the desk where my dear wife had treasured them.

St. Stephen's Club,
January 20th, 1880.

My Darling,

I have been dining here this evening and working away since dinner at my speech for next Monday, and now

before I go home I will have a little chat with my Pet. I have really something to tell you. Do not be disappointed; it is not that the "Silk" has come; I have heard nothing about that. But I hear that this afternoon Mr. Locke was taken home from the Temple very ill. He is an old man, and quite possibly a few days may see a vacancy for Southwark. In one way it would be a serious matter for me. To have to fight Southwark twice in a few months would be a very costly thing. However, I must fight if the chance comes and trust to success to make it up to me. I hope you have had two days as bright and pleasant as they have been here, and that the improvement it made me so happy to see on Sunday is continuing and advancing. I am better; not quite the thing, but quite ready to begin a good fight over the water. My love to Fanny and fondest affection to little Jum Jum and to my own dearest Pet.

Ever your own
E. C.

St. Stephen's Club,
January 30th, 1880.

Dearest,

Just a line—the fight has come and I am up to my eyes in work. But I shall run down to-morrow afternoon by the usual train to have a few hours of love and quiet with you. I hope you are better again; keep your spirits up and let us look forward to a holiday together at Easter. By that time I may be M.P.; if not, I shall have fought a contest that will not be forgotten. I am well, but for a cold caught on Monday when a window was opened over my head while I was speaking. However, I will take all care of myself. My address will not be published or any meeting held until after the funeral, probably Tuesday, and the election itself will very likely take place on Thursday week. I have the best agent in England, I. N. Edwards, Smith's agent at Westminster. He will meet me here at 7 this evening, and afterwards I speak at a meeting at Lambeth. I enclose letter from Shirley House and shall hope to see the boy to-morrow and bring you news of him.

Ever your own
Edward.

Mrs. Edward Clarke,
54, Eversfield Place,
St. Leonards.

I was justified in saying that the contest would not soon be forgotten. It was being fought at a time and place which gave it great importance. Southwark was a constituency of 250,000 inhabitants and 22,000 voters. The vacancy was caused by the death of a Liberal member, representing what was taken to be a Liberal constituency. One seat indeed had been filled by Colonel Beresford, a local wharfinger, and a sound Tory, but on both occasions of his election he had polled less than half of the votes recorded, and had owed his success to the divisions on the Liberal side. Now the new machinery of the Birmingham Caucus was put in force. The Liberal Two Hundred selected Mr. Andrew Dunn, an iron-merchant and prominent Nonconformist, who had long been active in Radical political work in the borough, and had been a defeated candidate at the previous election.

Mr. George Shipton, a Radical Labour candidate, insisted on standing, but it was known that he had very slight chance of success. The question seemed to be whether he would take away enough votes from the Liberal candidate to let me in.

It was fortunate for me that before Mr. Locke's death a meeting had been arranged for the evening of January 26th, and although, as the funeral had not taken place, no reference was made to the election, I had the opportunity of making a speech on important public topics, and through *The Southwark Mercury* and in a reprint in pamphlet form it was circulated all over the constituency.

The three great questions before the electors were Foreign Policy, Home Rule, and Local Option, and on all three I spoke very distinctly.

My address was issued on February 4th. It was a long document; not, I fear, very useful for election purposes, and, as I soon found, very expensive to print, but it was my first formal declaration of political principles, and I wanted it to be full and emphatic. Its length has made me somewhat reluctant to reproduce it here, but it is the only full statement of opinion and policy which I ever had

occasion to publish, and I hope that all who take an interest in the story of my political life will read this address as a preface.

One topic which was not specially dealt with in the address soon came to the front. That was the question of Tariff Reform. At a large meeting at Bermondsey I declared myself strongly opposed to any taxes on food or raw material, but in favour of taxes on imported manufactured goods where foreign nations had placed import duties upon ours.

Address to the Electors of the Borough of Southwark, February 4th, 1880

Gentlemen,

The death of the senior member for your Borough, my old friend Mr. John Locke, who had for many years been held in deserved esteem by all classes among his constituents, affords you an opportunity of expressing your opinion upon the conduct of public affairs.

The questions before you for consideration are of national importance; and the judgement which shall be expressed by the great constituency of Southwark will materially influence the opinion and the action of the country at large.

During the last six years a Conservative Government has directed the policy, and conducted the administration, of Great Britain, under the accumulated difficulties of foreign war, depressed commerce, failing harvests, and the most malicious opposition which the history of this country affords. As a Conservative, I ask you fairly to consider the title which that Government has established to your confidence and support.

In Eastern Europe the policy of Her Majesty's Government has received the justification of complete success. The Berlin Treaty has not only for the past eighteen months secured the peace of Europe, but has dissolved the formidable triple alliance, which hindered the progress of Constitutional freedom and menaced the independence of the smaller States. At the great council which gathered at Berlin, the representatives of Great Britain spoke in the name of a people who were anxious for honourable peace, but had shown themselves ready to bear the burdens and

anxieties of war. The firm and resolute will of Lord Beaconsfield was shared and sustained by the great majority of his countrymen, and the jealousies and ambitions which had threatened Europe with the horrors of wide-spreading war disappeared before the peaceful and unselfish but unwavering policy of the people of Great Britain.

In Afghanistan the Liberal Government of 1868–74 had succeeded in disturbing and alienating the Ameer, and in providing for Russia an opportunity for unofficial war against this country, of which, in the crisis of the European difficulties, she gladly availed herself. To have remained quiescent would have been to expose our Indian Empire to the danger of an invasion, of whose time and place we should have had no warning, of whose strength we could make no estimate, and whose retreat we could not follow. The emergency was firmly met, the passes of the North-Western frontier are now in our hands; and the chief danger which threatened the safety of our empire in India is finally dispelled.

In South Africa a war, for which the Home Government was in no way responsible, has ended in the destruction of a barbaric military organisation which disturbed the peace and hindered the progress of our colonies.

The Government has been called upon to provide for large and exceptional expenditure, while the depression of commerce and the failure of recent harvests have checked, for a time, the natural tendency of the revenue to increase. Yet they have neither imposed heavier burdens on the people, nor increased the national debt. The Liberal Government of 1868-74 had five complete years of office; of the Conservative administration only five years have yet been completed. It is fair to compare these terms. In the five years of Conservative rule the amount paid in taxation was less per head than it was in the five years of Mr. Gladstone; the Income Tax, which in the same period amounted under Mr. Gladstone to 1s. 10*d.* in the £, in the five years of the Conservatives was only 1s. 3*d.*; and, at the end of the five years, the Conservative Government had effected a real reduction in the debt of the country of no less than seventeen millions and a half.

It has been the fashion of late for Radical speakers to declare that domestic legislation has been neglected. The accusation comes from those who, by abetting a system

of mere obstruction, have done their best to bring Parliamentary Government to inefficiency and disrepute. And the accusation is not true. During the last six sessions between twenty and thirty Acts have been passed into law by the exertions of the Ministry, which have directly and substantially contributed to the health, education, and social welfare of the people.

The administration of the law has been rendered more simple and more speedy; the prosecution of criminals has been assumed as the duty of the State instead of being left to the revenge of the victim of the crime; the right to a trial by jury has been widely extended; the unnecessary and costly imprisonment for small offences has been greatly lessened; the treatment of criminals undergoing imprisonment has been rendered uniform.

The laws relating to Public Health have been consolidated and improved; municipalities have received powers to remove unhealthy dwellings. Rivers have been protected from pollution and Commons from enclosure; and the Factories Act of 1874, and the Factories and Workshops Act of 1878, completed a series of Acts which have given comfort to the homes of working men and saved their children from the evils of premature toil.

The relations between employers and employed have been improved by the Acts of 1875, and the real grievance which working men suffered under the law of conspiracy, as then expounded, was removed in that year; in the same session the statute was passed under which Friendly Societies have been enabled to reorganise themselves on a safer basis than before; and the Agricultural Holdings Act secured to every tenant, who had no written contract with his landlord, compensation for what he had put upon the farm, and an ample term of notice before he could be made to quit possession.

I have not attempted to summarise the whole of the legislation of these years, but the measures I have named do, in themselves, constitute a body of social reform of which the Ministry may be proud.

Of a ministry which has thus worthily upheld the influence of Great Britain, wisely administered the national resources, and diligently applied itself to useful legislation, I avow myself a firm and earnest supporter, and I appeal to all among you who value our good name abroad and

good government at home to give me your votes in this contest.

The condition of Ireland has again become a question of serious difficulty. Bad harvests have checked the steady advance in material prosperity which she has now enjoyed for many years, and to add to her misfortune an agitation has been raging among her people which must inevitably tend to drive away the capital which she so sorely needs. The first duty of the nation is clear; to relieve by voluntary subscription, or, if needful, by the application of public funds, the real want which is undoubtedly felt in certain parts of Ireland. The second duty is equally clear; to uphold the authority of the law and to protect with impartial firmness order, property, and freedom. I hope that any inequalities before the law which may exist may speedily be redressed; that municipal institutions in Ireland may be extended; that the measures recently passed to aid the intermediate and higher education of Irishmen may receive full development; and that the purely administrative business of the country may be carried out by local inquiries and provisional orders, instead of the costly and tedious process of Committees and Bills in the Imperial Parliament. But I distrust the legislation of panic or of passion, and the statesmanship which allows a political murder or street outrage to prompt the overthrow of a Church and the confiscation of its property; or which offers to the starving peasants of Connaught the barren gift of a scheme by which the Imperial Government may become an improvident money-lender, to enable thriving tenants to purchase the fee-simple of the lands they farm. And I would defend the integrity of the Empire as resolutely against a domestic faction as against a foreign foe.

In the field of practical legislation there is plenty of work for Parliament to do. The codification of the Criminal Law; the establishment of a reasonable and uniform system of valuation for rating purposes; the amendment of the law of bankruptcy; the simplification of the title to land; the removal of the rule which prevents a person charged with crime from giving evidence on his own behalf, and will not permit his wife to be called as a witness; the abolition of the rule by which the eldest son in the case of an intestacy takes the whole of the landed property,—these are among

the matters upon which I hope I might usefully assist in the work of legislation.

I am by education and by conviction a Churchman, and I believe that the maintenance of the Church of England and her continued devotion to the work of religious education are the surest guarantees of the happiness and true prosperity of the country. The schemes of the Liberation Society, now for party purposes discreetly suppressed, to be again brought forward if the confederacy of 1868 is again found possible, will find in me a resolute opponent.

I have never been able to persuade myself that voluntary abstinence from any luxury entitles me to prohibit other people from enjoying it, and I oppose the Permissive Bill agitation in all its forms.

I have lived many years in the South of London, and am thoroughly acquainted with the local interests of Southwark; and during the last eighteen months I have taken every opportunity of making myself known among you. In so large a borough a personal canvass is, of course, impossible, but I ask you to read my speeches, to come, if you can, to hear me, and then to judge if I am fit to be your member. I have no ambition which is in conflict with your interests; and if you honour me with the proud position of your representative in Parliament, I will strive with all my powers to prove myself worthy of your trust.

I am, Gentlemen,
Your most obedient Servant,
EDWARD CLARKE.

HUNTINGDON LODGE, PECKHAM,
February 4th, 1880.

I spent a very busy week in speaking and canvassing, and at its close was able to write confidently of my prospects of success.

ST. STEPHEN'S CLUB,
February 11th, 1880.

DEAREST WIFE,

I was very glad to hear this morning that you are feeling better, and are able to get out, and hope you will be looking quite yourself when I come to receive your congratulations.

For I think I am going to win. There is great enthusiasm for me all over the borough.

I spoke at five meetings yesterday, have been to two to-day, and have three more this evening.

So far my voice holds out very well, but I am glad there is only one more day's talking.

The votes will not be counted until Saturday, but I hope that by two o'clock that day you will have a telegram of the result. I am off now again, so with fondest love, good-bye.

Your own

EDWARD CLARKE.

The day of polling was my day of fortune (February 13th), and was one of brilliant weather. As the clock struck eight and the poll opened, my carriage, gay with purple and orange ribands, and with two of Tilling's oldest servants on the box, left the door of the Bridge House Hotel, my central committee-room, and I drove to Rotherhithe, the most Conservative district of the borough, to meet the men as they came out from the Docks for breakfast. The next twelve hours were a tumult of cheers, and handshakings, and little speeches at street corners, and visits to the committee-rooms, to each of which I paid three visits in the day. The streets were gay with flags, and as the day wore on crowds gathered at every polling-place, and highly imaginative placards showing Dunn well ahead in the poll added to the excitement. At eight o'clock the poll closed, and I drove along the Borough on my way home, standing in the carriage and waving my hat, to show our friends that we believed we had won.

HUNTINGDON LODGE, PECKHAM ROAD,
February 13th, 1880.

DEAREST,

The Poll is over, and although we cannot tell for certain, I think I have won.

You shall have a telegram as soon as possible, and I hope to be down by the usual (3) train.

I have not much voice left, but otherwise am quite well.

Your own

E. C.

The next morning after eight or nine hours of sound and untroubled sleep I went down to the Vestry Hall in the

Borough Road for the counting of the votes, confident and cheerful. I found my chairman, Mr. Mark Cattley, haggard and anxious. He told me he had hardly slept all night. Presently the ballot boxes were opened, and the papers tied up in bundles of fifty and handed over as required to the polling clerks. Each clerk had beside him the representatives of the three candidates, who saw each paper as he dealt with it, and took care that the vote was entered in the right column. In a few minutes it was clear that Shipton was quite out of the race. There were seldom more than half a dozen votes for him in one of the packets. It was some time before I could feel quite sure that I had beaten Dunn. But, although the packets varied in their yield, the columns which recorded the votes for me were filled first upon every sheet, and before the counting was half completed the question that really interested us all was whether I had polled more than both the other candidates together. To my great delight this proved to be the case. About one o'clock the figures were announced : Clarke, 7,683 ; Dunn, 6,830 ; and Shipton, 799.

It was a notable victory. It was not only the gain of a seat. For the first time, and indeed for the only time in its electoral history, the borough of Southwark had returned a Conservative member by a majority of the votes cast at the election.

During the morning, although the rain was falling, a great crowd had been gathering in front of the Vestry Hall, and when we went to the windows for the public declaration of the numbers I had a tremendous reception. Of course there were shouts for a speech, but that was impossible.

I had hardly any voice left, so I could only point to my throat and express my thanks by gesture. My committee and I had a very festive lunch at the Bridge House Hotel, and in the afternoon I went down to Hastings, where my dear wife had received the first telegram sent off after the result was known.

It was a triumphant journey. At Tonbridge I had quite a levee of congratulation ; at Hastings the Conservative

Association rooms were beflagged, and at night illuminated in honour of the victory. The next day, Sunday, was my thirty-ninth birthday, and I never needed more the day of rest and worship.

Letters of congratulation poured in upon me; most delightful of all the few lines in which my dear father, within two months of his eightieth birthday, spoke his joy and pride.

125, SEVEN SISTERS ROAD,
February 14th, 1880.

Is it possible I can address my very dear son Edward as an M.P.? It is so certainly, though I could almost fancy it a dream.

May God bless, guide, and comfort you in all your doings is the earnest prayer of your ever affectionate

FATHER.

Best love to dear Annie and congratulations.

HOUSE OF COMMONS,
February 16th, 1880.

MY DARLING WIFE,

My first letter from the House must of course come to your dear self. I have had a great reception here; cheering as I came up the floor to take the oath and sign the Roll of Parliament, and the Ministers present shook hands with me, Sir Stafford Northcote, the Leader of the House, being the first to offer his hand. Since then I have been making the round of the library, dining-rooms, etc., and being introduced to members I did not know. I am overwhelmed with congratulations. And best of all I have just seen Corry, Lord Beaconsfield's private secretary, who tells me the Chief has been specially pleased with my Southwark speeches, and particularly with the phrase quoted in to-day's *Times*.[1] He wants to make my acquaintance, and wishes me to go to lunch with him one day this week. Grandpapa, Edward Pinches, and Percival had seats just above the clock, where they could see very well.

The boy has gone home, and as no division is expected at

[1] "Englishmen are proud of the privileges of freedom and are not afraid of the responsibilities of Empire."

present I am going over to the St. Stephen's to dine with Grandpapa and E. P.

Good-night, my darling, and God bless you.

Your devoted husband
EDWARD CLARKE.

One more letter will complete the story of this contest.

ST. STEPHEN'S CLUB,
February 19th, 1880.

MY DARLING,

I was delighted to get your letter this morning and to find that you are in somewhat better spirits.

For the letter yesterday made me very sad. It is a heavy drawback to the pleasure of all my great successes that I cannot have with me, to share the triumph, the dear one who loved me and believed in me in the day of humble beginnings.

But do not be too downhearted, dear. The winter is fast going by, and the milder spring will let you be out more, and perhaps may bring you back all the health and strength you had a year and a half ago.

Meanwhile I know you will like to hear of what I do. This afternoon I lunched with "the Chief." His private secretary, Sir William Dyke, and Whitley, the new member for Liverpool, were there. Lord B. was most kind. He said the Southwark fight was "a brilliant campaign brilliantly fought," and chatted about politics and literature for an hour and a half. But I cannot tell you more; I must dress and be off to dine at the Grocers' Hall, and expect a late night at the House afterwards. Love to Fanny. I shall be down on Saturday by the usual train, and should like dinner at six.

Ever fondly yours,
EDWARD CLARKE.

My voice is coming back slowly.

The question when I should make my first speech was an important one. Much interest had been taken in my election, and the newspapers had said much in praise of the speeches I had made during the contest.

I felt bound to be very careful in choosing the opportunity of justifying, if I could, this praise, and the anticipa-

tion of my friends. Some wise counsellor, I think Sir William Hart Dyke, advised me to study the order paper and see what subjects were fixed for the Tuesday and Friday evenings, choose one that suited me, and then carefully prepare my speech. I chose the subject of Local Option, which was to be discussed on Friday, March 8th, on a resolution to be proposed by Sir Wilfrid Lawson, who had given up the Local Veto Bill which he had introduced in several successive years, and now sought to pledge the House to a general declaration in favour of his scheme. I carefully prepared a simple debating speech, with no passages of rhetorical ornament, not even a peroration, and let it be known that I meant to take part in the debate. Sir John Hay had acquired a prescriptive right to occupy the seat next above the gangway in the second row on the Government side of the House, and he offered it to me for the evening as the best position from which a private member could speak. When I was seen in his place at the opening of the debate, Lord George Hamilton sent me a note saying he hoped I would not speak until after ten o'clock, as the Speaker would call me whenever I rose, and he and Stanhope wished me to speak when the House would be full.

So I sat and had the experience which I suppose has been that of most men to whom success in the House of Commons has been so important, and who understood how kind and yet how critical that House is. As the debate went on I heard other men make points that I had prepared; my head began to ache; I could eat no dinner, but rested for an hour on a couch in the upper lobby behind the gallery, and felt more depressed and nervous than I have ever felt before or since. Lord Barrington at that time wrote the account of the debates for the Queen. He came and sat awhile in the seat below me, and I heard him say to his neighbour, "He is not going to speak; he has no notes." He little knew how thoroughly I had in memory the notes which, for safety's sake, I carried in my pocket. The dull hours from eight to ten dragged along and then

John Bright rose. Rowland Winn, the Whip, came to me doubtingly. "Are you prepared to follow Bright?" It was the very chance I wanted; and while cheers were following his peroration, which was admirable in expression, but to my surprise obviously read from his manuscript, I rose. The House gave me a generous welcome, but my speech was nearly ruined at its start, for when I asked the indulgence of the House for my presumption in following one of the great ornaments of its debates, a dull Tory sitting next to me, one Denzil Onslow, protested against the complimentary phrase with a loud "Oh, oh."

For a moment or two I was nearly breaking down, I could hardly see the House; my voice sounded strange and harsh, my lips were dry. But my trouble was noticed; a kindly and general cheer set me right, and, when once myself was forgotten and my theme alone remembered, I felt no difficulty.

I spoke for about forty minutes, and when I sat down I knew I had succeeded to the full measure of my hopes. Lord Hartington followed and closed the debate and spoke generously of me and of my speech.

Then came the division and the congratulations of the Lobby, and the thanks of ministers, and pleasantest of all a letter from the chief of the Reporters' Gallery full of compliment and good wishes from my old friends of the Press, and I was a proud and happy man. The supreme trial of my life, its hope and anxiety from boyhood, had come and passed, and I had succeeded. I drove home and found that a near relative who had heard my speech from the Strangers' Gallery had arrived half an hour before with the news of my triumph.

I found my dear little wife in a passion of tears. The triumph had indeed come to which we had so long looked forward, but it was a triumph she could not share.

She knew that she was dying: I knew that it was only for a few months longer that I could enjoy the sweet and patient companionship which had blessed and strengthened me in the years of struggle. It was upon her that the

heaviest burden of that struggle had fallen, for she had known the hard economies of narrow means, and, when they had passed, the pains and sorrows of illness, and I do not doubt that in my absorption in work and in ambition I had often been negligent and unsympathetic. Now Fame and Fortune were at the door, and she could not stay to receive them. I knelt beside her bed and we cried together.

It soon appeared as if my triumph would be very short-lived. On the Saturday the newspapers were full of praise. *The Times* spoke of "the effective part which Mr. Clarke took in the debate in his vigorous maiden speech." It was with a new pride that I went down to the House on Monday to taste again the pleasures of success. But as soon as questions were over, Sir Stafford Northcote rose to make a statement as to the course of business, and quietly announced that as soon as indispensable matters could be disposed of Parliament would be dissolved.

Again my wonderful good fortune had shown itself.

For the House to have risen without my having spoken would have been a real disaster to me. And, knowing nothing of what was to happen, for the dissolution was only resolved upon at a Cabinet meeting on the Sunday, at which I believe Lord Beaconsfield was overborne by his colleagues, I had made my maiden speech at the last hour of the last day on which the House would listen to speeches at all. There was a rush from London and every one was preparing for the new elections.

It was a heavy blow to me. The labour and excitement of such a contest as I had just gone through, and the anxiety of having to repeat the struggle, coupled with my home sorrows, were too much for me. In the afternoon my friend Edward Pinches went with me to the office of *The Kentish Mercury* at Deptford to arrange for the printing of my address and the publication of *The Southwark Mercury* during the election. As we walked along the Old Kent Road on our way back to Huntingdon Lodge, I suddenly felt strangely ill.

My eyes were dim, my feet were heavy. Presently I

said, " Teddy, there is something very wrong with me, I cannot walk straight." He took me into a shop, and I waited while a cab was found to take me home. There I lay on a couch and managed to dictate my address. The next morning I went to my old friend Sir William Jenner. He said, " Drive home at once, take the earliest train you can to Brighton, take a quiet lodging, on no account look at a book or a newspaper, walk about on the sea-front till you are tired out, and then go in and sleep, and drink every day two glasses of the best champagne you can get " (I had been for four years a strict teetotaller). My wife could not go with me, so my sister Fanny did. I followed the rules given, and at the end of a fortnight I was able to go with Edward Pinches to stay in the Isle of Wight.

Meanwhile, on March 24th, Parliament had been dissolved and the elections were going on, but I knew nothing about them except that my committee, who had definitely agreed with me directly the approach of the dissolution was announced that I should be the only Conservative candidate, changed their minds, perhaps in view of my illness, and brought out Mr. Mark Cattley as my colleague. He was a jovial, good-tempered man, but knew nothing of politics and was a wretchedly poor speaker. His single joke, and he was quite fond of it, was, " My friends, you know I am a man of mark." When four days before the polling I came back and reported myself to Sir William Jenner and got permission to appear on the platform, I found that all was lost. An unscrupulous Irishman had been down making lying speeches about me. Although I had never been in the House when the question of flogging in the army was discussed, coloured placards were posted about the borough, showing a soldier being flogged and the blood running down his back, while I looked on approvingly.[1]

The result was determined by the Irish Roman Catholic vote. The priests were strongly with me on the question of religious education, but, as one of them told me, they

[1] See article " Should Politicians tell the Truth ? " by F. W. Soutter, *Nineteenth Century and After*, March 1922.

feared to lose their hold on the people altogether if they attempted to control them, and four or five hundred Irishmen who voted for me in February, in April marched to the poll four abreast with green ribands in their coats to vote against me. The figures at the poll were: Cohen, 9,693; Thorold Rogers, 9,521; Clarke, 8,163; and Cattley, 7,674.

So for a time my political career appeared to close.

CHAPTER XVI

ELECTION PETITIONS: 1880

THE Southwark elections had been very expensive; the advertised election expenses of both sides in the two contests which had occurred within six weeks were over £22,000. There had been generous subscriptions, and the party fund helped largely, so I had personally contributed only £1,500, but this was not an insignificant sum. My health, too, had been badly shaken. Still, I had made my way into the House of Commons, and had there made one successful speech. And while the March election was going on Lord Cairns had given me the silk gown for which I had asked immediately after my election in February.

Usually a new Q.C. finds his income is for a time diminished. This was not the case with me, for while in 1879 I had earned £5,300, in 1880 my fee book showed a total of £6,000. My expenditure on the elections was soon made up. There was a large crop of election petitions, and I was retained in twelve.

To be so soon deprived of the seat which I had worked so hard to get was, of course, a great disappointment, but the consolation I had given to Hardinge Giffard in 1874 now became applicable to myself.

Southwark would have been a difficult and uncertain and very expensive constituency.

There are always vacancies occurring in a new House of Commons during its first few months, especially when a new Ministry has to be formed, and still more when the election has been as corrupt as that of 1880. There were sure to be petitions in which I might earn large fees, and it was not

unlikely that one of these might open to me a way of return to the House. And if I could get back I should find myself in the best possible position for making my way into the front fighting rank.

The young man who gets into the House of Commons when his side is in office with a good majority has a very poor chance of distinguishing himself. In important debates the best times in the sitting are given to the men on the front benches, and although, as in my case, a new member is allowed precedence when he rises to make his maiden speech, the privilege is not of much use to him when there are a hundred other new members with the same claim to preference and all seeking an early opportunity of gratifying their wives and their constituents. And on ordinary nights there are few listeners, and the Government Whips are anxious to get business done, and are by no means encouraging to young speakers.

The fortunate man is he who finds himself in the House of Commons when his party has just been defeated and turned out of office. Then is the golden opportunity which he too often allows to let slip. His Whips appreciate eloquence in a way which was quite impossible to them when in office. The effective speech which stimulates debate and incidentally prevents the progress of Government business is a sure passport to their favour, and it is in these early days of a new Parliament that future under-secretaryships are won. I knew that if I came back to the House my party would welcome me, so I turned away quite contentedly to my legal work.

Before the end of the month I had taken part in a case which was remarkable for the number of leading counsel who appeared in it. It was the prosecution of the directors of the West of England Bank for conspiring to publish false balance sheets.

Eighteen counsel, of whom eleven were Queen's Counsel, were briefed in the case, and eleven of them afterwards obtained judicial office.

The case came on for trial at the Old Bailey on April 27th,

but there was so much difficulty in finding room for the Counsel that it was transferred the next day to the Court of Queen's Bench at Guildhall, and there Lord Chief Justice Cockburn presided over a trial which lasted for eight days. On the second day he asked the defendants if they would give their word of honour that they would attend the trial from day to day, and accepted their promise instead of requiring any recognisances.

The names of the Counsel are worth recording:

For the Prosecution:

> Sir John Holker, Attorney-General (afterwards Lord Justice); Sir Hardinge Giffard, Solicitor-General (afterwards Lord Chancellor); Arthur Collins, Q.C. (afterwards Chief Justice of Bengal); A. L. Smith (afterwards Master of the Rolls); and McKellar.

For the Defence (all the defendants but two were separately represented):

> Sir Henry James, Q.C. (afterwards refused the Lord Chancellorship); Herschell, Q.C. (afterwards Lord Chancellor); Charles Russell, Q.C. (afterwards Lord Chief Justice); Arthur Charles, Q.C.; John Day, Q.C., and Thomas Bucknill, Q.C. (afterwards Judges of the High Court); Petheram (afterwards Chief Justice of Bombay); Norris (afterwards Judge in India); Edward Clarke, Q.C.; Ralph Littler, Q.C.; S. H. Day (afterwards Master of the High Court); and Arthur Poole (afterwards Recorder of Bristol).

On the fourth day of the trial the new Ministry took office, and Sir Alexander Cockburn addressed Sir Henry James and Mr. Herschell as "Mr. Attorney" and "Mr. Solicitor."

There was some friction between Sir John Holker and the Lord Chief Justice, who was not satisfied with the conduct of the prosecution, and appeared very soon to form an opinion in favour of the defendants, and the trial concluded on the eighth day with an unhesitating verdict of acquittal.

While it was going on the retainers in the election petitions came pouring in.

Stockport, Gravesend, Cheltenham, Wallingford, Macclesfield, Salisbury, Hereford, Plymouth, Colchester, Evesham, Canterbury, and Sandwich fell to my share. The Colchester case was a very curious one. It was a two-member constituency, and Mr. Causton (afterwards Lord Southwark) and Mr. William Willis, Q.C., were the Liberal candidates, and Sir Francis Jeune (afterwards Lord St. Helier and President of the Probate and Divorce Division) and Colonel Learmonth the Conservatives. The Liberals were declared elected, the numbers being: Causton, 1,738; Willis, 1,650; Learmonth, 1,649; and Jeune, 1,528.

But there had been several ballot papers upon the validity of which the Mayor as returning officer had to decide.

These were afterwards inspected and photographed, and it was quite clear when they were examined that three or four votes had been improperly admitted or rejected, and that on the votes being properly counted Mr. Willis was one or two below Colonel Learmonth. So a petition was lodged, claiming the seat for Learmonth, and an application was made to the Court of Common Pleas to order a special case to be stated with the disputed ballot papers attached as exhibits, and upon that special case to determine which candidate had in fact the majority of votes.

Thereupon the Liberals filed an answer to the petition alleging various corrupt practices on the Conservative side, and the Court decided that it could not deal with the question of the validity of the disputed votes without admitting those charges to be tried in the usual fashion.

There had been a good deal of bribery at the election, and the petition was withdrawn; and Mr. Willis sat for five years as member for Colchester without having really been elected by a majority of votes.

At the end of April the trials of the election petitions began, and for the first time each was heard by two judges, a change which had been chiefly brought about by the extraordinary decisions of Baron Martin in 1874 in the

cases of Westminster (where Mr. W. H. Smith was allowed to enter Parliament after an election which had been won by wholesale bribery) and Cheltenham and Windsor.

The first petition tried, and the longest and most costly of all, was that of Gravesend, where two judges, Denman and Lopes, arrived on April 30th, and were received with the same state as Judges of Assize and housed for a fortnight in the house of the Town Clerk. The petitioner was Sir Francis Truscott, then Lord Mayor of London, who had been defeated by Mr. Bevan, a large employer of labour at the cement works on the riverside. Charges of personal bribery were made against Mr. Bevan, and the seat was claimed for Sir Francis. I was briefed for the petitioner, with Mr. Day to lead me and Robert Biron and Lewis Coward as my juniors. On the other side were Mr. Lewis Cave, Q.C. (afterwards a judge), Chandos Leigh (afterwards Counsel to the Speaker), and Frank Lockwood. We (the Counsel) had a very cheerful time, for Day and Biron and Lockwood and Lewis Coward were the merriest four that could have been found in the Temple. There was one night when we all dined together at the hotel where the petitioner's counsel were lodged, and I remember how, very late in the evening, Cave, who was the most solemn of elderly lawyers, and all the rest of us except Chandos Leigh, who I think had gone to town, danced a break-down round the dinner table, while Coward played and sang nigger melodies at the piano. Lockwood had not much to do in the case, and he produced quite a sheaf of drawings, chiefly of his serious leader dancing on the crystal platform at Rosherville Gardens.

On the Monday the petitioner's case was opened and some evidence given, and on Tuesday I was there doing my share of examining our witnesses. But I had to come up to town that night, for the hearing of the Cheltenham petition was fixed for the next day, and in that case I was leading for my old friend Mr. (now Sir James) Agg-Gardner. He was not the petitioner, for the election had not been quite so pure on the Conservative side as to make it safe to claim the seat, but in addition to the charges against Baron

de Ferrieres of bribery by his agents, a question of law was raised whether a special Act of Parliament by which he had been naturalised some years before had the effect of enabling him to sit in Parliament. I went to Cheltenham having Godson and young Amphlett as my juniors, and Waddy, Q.C., Anstie and Willis Bund against me. On the Wednesday I opened the case and called some witnesses, and on the Thursday our evidence was continued.

But our witnesses broke down in the way which is quite usual in election petitions, and it was clear that our bribery case would fail. So on Friday I interposed the argument on the point of law, and that being quite rightly decided against me I withdrew the petition.

The next day, Saturday, I was back at Gravesend, where we closed our evidence and Cave began his speech. But I was wanted elsewhere, and so long as Day was able to be at Gravesend I was of no great use there, so on Monday, June 7th, I went down to Evesham, where Baron Pollock and Sir Henry Hawkins came to try the petition against Mr. Ratcliff, a Liverpool merchant who had been returned for that tiny constituency by 382 votes against Sir Algernon Borthwick (afterwards Lord Glenesk), who had polled 373. The bribery here had really been of the simplest possible kind.

A man named Ballinger, who was a shoemaker in the little town, was employed by Mr. Ratcliff to distribute moneys. He was kept supplied with funds, and had a book in which he entered the names of the persons to whom from time to time he gave small sums. It was suggested that this was only Mr. Ratcliff's way of relieving poverty which he could not himself investigate, but the political motive of the gifts was at least as evident as the charity, and before we had gone on very long on Tuesday morning it was admitted that Ballinger was Mr. Ratcliff's agent, and that the seat could not be defended. So he was unseated and ordered to pay the costs. In this case, again, it had not been thought prudent to claim the seat for Sir Algernon Borthwick.

On the Wednesday morning, I was back at Gravesend,

and the evidence for the respondent was closed, and after a speech from Cave the recriminatory evidence against Sir Francis Truscott was commenced.

On the Thursday this evidence was being continued when the judges interposed, and said they had made up their minds that Mr. Bevan must be unseated in consequence of the general bribery which they were satisfied had been committed. Thereupon Day abandoned the claim to the seat, but notwithstanding this the recriminatory case was proceeded with then and on the following day. On the Saturday morning Mr. Justice Lopes raised the point that as the seat must be declared vacant there was no use in going on with this recrimination, and after short argument this view was agreed to, and the inquiry closed after a trial which had lasted twelve days, and cannot have cost less than £20,000. Mr. Bevan was unseated, and was ordered to pay the larger part of the costs.

One evening during that trial I was in Rosherville Gardens with Mr. Homewood Crawford, the son-in-law of Sir Francis Truscott, who was then a private solicitor, but afterwards became solicitor to the Corporation of the City of London, and I told him how it had been my ambition from boyhood to be member for the City. He told me that if ever the opportunity came he would give me his best help, and twenty-six years later he thoroughly fulfilled his promise.

The next Monday, June 14th, I went to Canterbury, where Mr. Butler Johnstone, who had been one of the Liberal candidates at the election, petitioned against the return of the Hon. A. E. Gathorne Hardy and Colonel Lawrie. Denman and Lopes were the judges here, and Murphy, Q.C., Biron, and Moulton (afterwards Lord Moulton) were for the petitioner, while I appeared for Hardy and Lawrie, with Finlay (afterwards Lord Chancellor) for my junior. This was a very serious case. The seat was not claimed, for there had been gross corruption on both sides. The principal person concerned on the Conservative side had disappeared, and the party managers were very anxious as to what might

come out. Mr. Gorst, who was then the chief Conservative agent, sent me his private cypher so that I could consult him freely, and on the Monday night I made a hurried visit to London to discuss the situation with him. The evidence was continued on Tuesday, but on Wednesday the personal charges against Hardy and Lawrie were withdrawn, and I thereupon admitted that the election could not stand. The respondents were allowed to make statements denying the personal charges; the election was declared void on the ground that bribery had extensively prevailed; and the judges made a report to the House which prevented Canterbury from having any members in that Parliament.

I had now one day's interval, and on Friday the 18th I went down to Wallingford with Pollard and Nash as my juniors to support the petition against Mr. Walter Wren, who had won the seat for the Liberals. Here again the seat was not claimed. This was a very curious case. It was known that there had been bribery on both sides, but the actual evidence which had been obtained when the petition was lodged was very scanty. Indeed A. L. Smith, who was at our first consultation, advised that it should be abandoned. I said that I was sure the judges would help us to find out the truth, and that I meant to go to Wallingford and stay there until Wren was unseated. Mr. Walter Wren was a man of great ability, who was the most successful "coach" of his time for young men going up for examinations, especially those for the army.

He went down to Wallingford and announced that he would not have any committee. He took a house in the place and had its front painted red. Then he hired a wagonette and a boy who could blow a horn, and every morning drove out from the little town into the agricultural districts from which the larger number of the small constituency came. At the cross-roads he had the horn blown until some of the labourers gathered round him, and then he made them a speech. As far as our information went, although of course no trustworthy reports could be obtained, these speeches had very little to do with politics, and con-

sisted chiefly of the most lavish promises as to work and wages. I think the judges (Denman and Lopes) were rather puzzled at the airy indefiniteness of my opening, which was all we had time for on the Friday afternoon.

The next morning while I was at breakfast Murphy (who appeared for Wren with Kemp and Torr) came to see me. He asked if I thought I could fill up the morning with witnesses who did not speak to personal bribery by Mr. Wren. I said, " Does that mean you are going to surrender ? "

" Well," said he, " it is possible that I shall not deny agency."

I told him I understood, and would do what I could to meet him, so I went on calling witnesses who had received half-crowns from a travelling tinker who was in the habit of going round the neighbourhood mending pots and pans and buying rabbit skins. He would urge the man to vote for Wren, and if he got a promise a half-crown would be found under the mat or on a sideboard after he went away. The weakness of this part of the case was that we could not show any connection between this man and Mr. Wren. I went on calling witnesses who had found these half-crowns and had generally told others of their good fortune, and presently Denman said, " I notice, Mr. Murphy, you do not cross-examine these witnesses. I suppose the only question will be one of agency."

" Oh, my lord," said Murphy, " I shall have to admit the agency."

The case was over ; Mr. Wren was unseated and ordered to pay the costs, and it was explained that he was anxious to deny the personal charges, but was not well enough to come into court.

So my third victim was ousted from his seat. I had yet two heavy cases to deal with, those of Macclesfield and Plymouth, and unfortunately they were both fixed for trial for the same day, the following Monday, June 21st. I had no special interest in either, but at Macclesfield two Liberal seats were being attacked, while at Plymouth only one Conservative had succeeded, and was being petitioned against.

At Macclesfield I was leading for the petition, and it might have been difficult to replace me at a day's notice, while at Plymouth I was only second counsel for the respondent, and my absence on the Monday could not, I thought, be of great importance. So I wrote to my Plymouth clients putting my brief at their disposal, and spent the Saturday (I have never, except on rare and special emergencies, done any legal work on the Sunday) in mastering the voluminous Macclesfield brief.

I finished this task as I travelled down to Macclesfield on the Monday morning, and when it was finished I was very dissatisfied with the material supplied me.

There was plenty of evidence of bribery and treating, and I had no difficulty in opening a strong case, but when we had a consultation in the evening I pointed out to my solicitor client that almost all our witnesses described themselves as ward messengers or bill posters or watchers, and in these capacities had been paid; that they would of course be asked the question, and that by the time we had called a dozen of them the judges would see that the bribery was not only on one side. I asked him to go through the list and give me the names of those who had not been paid.

He came to me in the morning, and out of 103 witnesses whose evidence was set out in the brief he gave me a list of seven. This was unsatisfactory, so I cast about for a means of escape from the necessity of calling any witnesses at all from our own side.

We had one little bit of documentary evidence in the shape of a small card bearing the name of one of the wards of the town and the figure 3, and in the corner the initials J. F. T. It was one of a large number of cards which had been distributed by the Liberals, and had been accepted at the public-houses and shops in payment for drinks and groceries. It bore no printer's name, but I was told that it was no doubt printed by the publisher of the Liberal paper, who did practically all the election printing on that side. I asked if he was likely to be in court that morning, and was told that he certainly would. He was the chief

reporter on his own paper, his name had not been mentioned in connection with the petition, and he would be sure to come to do his ordinary work. I called two short witnesses who were of no importance, and then I called George Brown. Mr. Brown had just settled himself down at the reporters' table, and could hardly believe his ears when he was invited to the witness-box. But there was no escape for him, and he was duly sworn.

I carefully hid the card under my papers, and began to ask him about his newspaper, whether it was not an old-established and high-class journal and so on. He got quite comfortable, and when I held up a collection of ordinary election posters and went through them, asking as to each whether he was the printer, he was obviously proud of his machining. Then I took out the little card and asked if he printed that. He hesitated, and became suddenly very ignorant of the conduct of his printing business. But I told him I was sure the judges would take care that before he was allowed to leave the witness-box my questions should be answered, and so gradually the whole story came out. The questions were very simple. "How many of those cards did you print?" "Who ordered them?" "Where were they delivered?" "Who paid for them?" "Whose initials were those in the corner?" "Who was the Liberal Chairman in that ward?" "Was this the only ward for which cards were printed?" "Were they in different colours for the different wards?" As to each ward the same questions as to orders and payments and the names of secretaries and chairman. There was no help for him. I got a pretty complete account of the way in which thousands of these cards had been distributed. There was no need to go further. When, with the perspiration dropping from his face, he left the witness-box, Mr. Waddy rose and said that it would not be necessary to continue the investigation, and he could not defend the seat. So two more Liberal members were unseated, and I took the midday train back to London.

Of all the cases which came before me at this time I

think Macclesfield was the worst. I have no doubt that out of the 5,000 voters at that election 3,500 were in one way or another bribed. Apart from the wholesale distribution of these refreshment cards of which I have spoken, there was a merely colourable employment of hundreds of the poorer voters. And after the election men not known in Macclesfield, "men in the moon" as they used to be called, went to the town and held receptions at certain public-houses there.

The voters to whom money had been promised, not by any means all poor men, went there and passed singly through a room where a man whom they did not know gave them money. There was a good deal of ill-feeling about the petition, which was considered locally a shocking breach of faith. The two local solicitors who acted as party agents had agreed upon the sum which each of them was to spend as he liked without fear of attack. The Conservative agent complained to me that his opponent had broken the agreement and spent more. It was a satisfaction that a commission was appointed, and that as a result of its report Macclesfield was disfranchised and both the agents were sent to prison for six months.

CHAPTER XVII

PLYMOUTH : 1880

Lush and Manisty were the judges in the Plymouth case, which had been opened on the Monday afternoon by Arthur Collins, K.C. (afterwards Chief Justice of Bengal), who had for his junior R. S. Wright (afterwards a judge) and Latimer. Here again the seat was not claimed, and the fact that this was the case in almost every petition was strong evidence that corrupt practices of one kind and another had been very common.

The respondent was Sir Edward Bates, a wealthy Liverpool shipowner who had sat for Plymouth since 1874, and the principal charges were of general bribery by the distribution by him of boots and clothes and blankets, but there was a special charge of having induced a number of Plymouth trawlers to come from Penzance to vote by promising to pay the share of the boat earnings which they might lose by their absence. The fact was that, it being then lawful to pay travelling expenses, a certain William Stibbs, who knew well the Barbican fishermen, was sent to Penzance with instructions to pay the railway fares but nothing more, and if anything more were asked he was to telegraph to the agent at Plymouth. Of course the men asked for their share of profits, and Stibbs, who was an ardent Tory himself, used some expressions in reply, more or less indefinite, which brought them all up to Plymouth to give their votes. When I found I could not get to Plymouth until Wednesday, I telegraphed to ask if I should return my brief, and had a reply begging me to come down the moment I was free. So on the Wednesday morning

I travelled down, and on my way read the report of the first day's evidence and found that my leader had made a fatal mistake. Two of the trawlers had been called, and given evidence that Stibbs had said it would be all right, and so on, and Day, in order to save time, had agreed to accept their evidence as that of the whole twenty. No doubt the petitioners had put forward the witnesses they had reason to think most favourable to them ; if they had been forced to call the others it was almost certain that there would have been discrepancies and perhaps contradictions which would have enabled the judges, as it subsequently appeared they would gladly have done, to give Sir Edward Bates the benefit of the doubt in a case where he had tried to take precautions against a breach of the law. But upon the evidence so accepted there could be only one result, and when the judgement came the judges, while acquitting Sir Edward Bates of any corrupt motive in his generous gifts, and expressing great regret that they were obliged to decide against him on this particular part of the case, declared his election void. The judgement was given on Friday, June 25th, and I went home the same night.

Next day a cousin of my wife was married, and after the wedding I took her sisters to Richmond and afterwards to the theatre. Reaching home after midnight, I found a telegram from Plymouth saying that the Executive Committee of the Conservative Association had resolved to ask me to be their candidate at the by-election. On Sunday morning I went to W. H. Smith at Hertford Street, and asked his advice, telling him that I felt myself to some extent pledged to Southwark, but that I would do what he thought best for the party.

He urged me to accept, so I sent a telegram to Plymouth, went down by the morning train on Monday, wrote my address in the train, was received in Plymouth with boundless enthusiasm, and spoke that night to two great meetings. My opponent was an old friend of mine, a barrister I had met at the Hardwicke Society, Sir George Young.

He had fought Plymouth twice, and at the late election had been only twenty-five votes below Sir Edward Bates.

But the excitement of the election was too much for him, and he made some foolish speeches. He called me Sir Edward Bates's pocket-piece "of brass with just a taste of the pewter," and talked about "the two Neddies being drawn from the station by other Neddies."

A report was spread about, for which he was in no way responsible, that I was in money difficulties, and had left Southwark without paying my election expenses. I tried to trace the rumour to its source, and found it had been set about by a prominent Liberal tradesman. I went to him with my solicitor, assured him of its untruth, and demanded a retractation and apology. He made the apology, and promised to undo as far as he could the mischief it had caused. That night I had a great meeting at the Guildhall. I stated the rumour, and asked all who had heard it to hold up their hands. Two or three hundred hands went up. Then I gave it the most absolute contradiction, said that not a single Southwark debt was outstanding, and that although I was not a rich man I was bearing the whole cost of this election myself, and that I could do so half-a-dozen times over, and yet have something to leave my children. I told them how I had traced the slander and confronted the man who had repeated it. They shouted for his name. That I refused to give. He had, I said, made an apology and promised to try to make amends, and I would not hold him up to the anger of his fellow-townsmen. The incident did me much good, and by the eve of the polling my friends were confident. There were 5,500 electors, and we had returns of promises from 2,831: 1,729 were returned as against us. Making the full deduction of 15 per cent. from our promises, and counting against us all those returned as doubtful, we counted on polling 2,406 and expected to win.

On the polling day I was, as always, at the central committee room by eight o'clock, and I spent the whole morning and the early afternoon in driving round the polling

stations inspecting the returns, and keeping up the enthusiasm of my friends.

About 3 o'clock it was clear I could do no more, so I went into the billiard room of the Globe Hotel, and found a stranger there who suggested a game. As we played he said, "I wish I knew who was going to win this election; I was offered 3 to 1 just now against Clarke."

"Oh," said I, "you had better not waste your time playing billiards; go and take 3 to 1 wherever you can get it."

"What, do you know anything about it?"

"Not much," said I, "but I am Clarke."

He slipped out of the room. Whether he took any bets I never knew, but I rather think he believed I was a lunatic whom the excitement of the election had distraught.

Canon Mansfield, a dear old Roman Catholic priest who had helped me greatly during the canvass, came to the Globe to sit with me while the votes were being counted. Sir Edward Bates was with us. The result was expected to be known by 6 o'clock, and when that hour passed and we heard nothing Sir Edward grew very excited. From the window at which we sat we saw but few people in the streets, for the crowd had pressed into the Guildhall Square. Slowly the minutes passed. A quarter past. Half-past. Suddenly a dull roar of cheering from the Square; next moment the crowd bursting into the broad space before us and rushing towards the hotel. In front came a young helper of ours, J. P. Rogers, known familiarly as "the fat boy," wildly waving his arms. In two minutes more the hotel was filled with a shouting crowd, and in front of us a surging mass of four or five thousand people filled the place from wall to wall and shouted for a speech, and it was long before Sir Edward Bates and I, after coming again and again to the window, could get away to our room, and take a little of the rest which both wanted.

The figures of the polling were: Clarke, 2,449; Young, 2,305.

This was a great triumph for me. Less than five months

had passed since I was elected for Southwark. Since then I had made my speech in the House, I had become a Queen's Counsel, I had fought at Southwark again and been beaten; in eight election petitions I had earned nearly £3,000, and had helped to unseat five Liberal members; and the last petition had opened to me the seat for a place of which I knew nothing until four days before I became a candidate. Now by the polling I had become the senior member for a town as beautiful in its situation, as interesting in its history, as important in its character, and its direct connection with the public service, as any city in the land, and although I did not then know it I was destined to be re-elected five times and to represent it without a break, and in the happiest of political relations with my constituents, for a period of nearly twenty years; longer than Plymouth had been represented by any of its members, and longer than any town connected with dockyard and service interests was ever represented by the same member.

The time at last came when the voice of Duty, quite clearly heard, laid commands upon me to take a course which my constituents so bitterly resented that they expelled me from their service, and took away from me the position which was the greatest pleasure and pride of my public life. I thought I was ungenerously treated; the blow was very heavy, and the wound is not yet healed. But it is no longer painful, and as I write these lines I think only of the delight of those happy years, when I served a constituency which gave me every token of confidence and regard; where every year in their noble Guildhall I spoke, always to a great audience, on great public questions; and where I found friendships which cheered and strengthened me and which I remember with gratitude and pride to-day.

CHAPTER XVIII

CHIEFLY DOMESTIC: 1880–1894

DURING the latter part of the year 1880 my dear wife's disease made sad progress. We spent the early autumn at Worthing with the children, and then I took her for some weeks to Devonshire. But she had become very thin and frail, and the dreadful cough gave her little rest by night or day. When we came back to town the doctors insisted that I should no longer sleep in her room, and her married cousin came to be her nurse and to take charge of the household. But every night when I reached home, however late it might be, she was always awake, and we spent some time together.

As I watched her gradual failure I learned to know how strong our love had been. And I was troubled, I hope without reason, by the haunting fear which adds a sharp pang to the sorrowful anxiety of watching a long and hopeless illness, the fear lest familiarity with the sorrow should in any degree have lessened the keenness of one's sympathy with the sufferer or the diligence of one's care.

Soon after Christmas I took her to the south coast for a week or two; she could scarcely bear the journey, but had wished to be alone with me on her last birthday, February 4th. When we came back to London it was evident that the end was near. But she lived on through February.

On the night of March 2nd I stayed on by her bedside thinking that the last hour had come, but she said, "Go to bed, dear, I shall not die to-night, I am not quite ready."

The next night I wanted to stay with her, but she would

not let me. "Good-night," she said, "it may be to-night, for I am quite ready, but cousin Ann will call you."

About three in the morning there was a knock at the door. I hurried to her room, but was too late.

Almost in sleep, with no word, but only a sigh, she had passed away.

The year 1881 was marked by two national misfortunes the full importance of which was not realised until much later. The first was the death of the great Earl of Beaconsfield, the second the defeat of Majuba Hill. Parliament was dull; the chief excitement consisting in the Bradlaugh controversy, which answered the main purpose of its authors by seriously embarrassing Mr. Gladstone, whose majority in the House of Commons was already rapidly diminishing. I took little part in debate, but towards the end of the session I put down on the notice paper a motion that the discussion of Bills which had passed their second reading in one session, but had not become law, should be resumed in the following session at the stage of Committee. Of the fortunes, or rather the misfortunes of this proposal, the only method by which the House of Commons will ever recover its capacity of public service, I shall speak in a later chapter.

My home affairs had, of course, to be ordered afresh. Huntingdon Lodge was particularly inconvenient for Parliamentary work, so I took and furnished a pleasant little set of rooms at Belgrave Mansions just by Victoria Station, and only spent the week-ends at my Peckham home. There my eldest sister, who had long experience as a governess, took charge of the house and of my two young children. My father had given up his business some years before, and now he and my mother, whose health was rapidly failing, left their house at Holloway, and came to live in mine. The summer was uneventful, and as soon as I could get away I went off to Switzerland, and spent a few weeks with my friend Edward Pinches and his wife

at a modest boarding-house called the Pension Suter, delightfully situated on the hill behind Lucerne.

That holiday over I came back resolved to take up political work more vigorously than ever, and I soon had the opportunity of speaking upon the same platform as the two leaders of the Conservative party. The death of Lord Beaconsfield found Lord Salisbury well established in the leadership of the House of Lords, while Sir Stafford Northcote, if he could hardly be said to lead the Conservatives in the House of Commons, at all events strolled in front of them and was recognised as their nominal chief, and this dual headship lasted until upon Mr. Gladstone's defeat four years later the Queen quite rightly sent for the stronger of the two statesmen, who thus became the leader of the whole party.

It was arranged that a great meeting should be held at Newcastle in October at which the two chiefs would appear together, and I felt myself highly honoured in being asked to join the party and propose the resolution of confidence in our leaders. Everything possible was done to give importance to the demonstration. Lord Salisbury and Sir Stafford Northcote stayed with the Duke of Northumberland at Alnwick Castle. I spent two very pleasant days at Blagdon as the guest of Sir Matthew Ridley and his beautiful wife. One day was given to a sort of triumphant procession down the Tyne. Twelve gaily flagged steamers went slowly down the river, while bells were rung and banners waved and sirens shrieked and hooted, and there came from the banks the shouts of workmen and the clanging tumult which betokened the welcome of the coaly town. The leaders stood together on the first boat; on the second I had the unlooked-for pleasure of being introduced to Mr. Joseph Cowen, then member for Newcastle, who with other Liberal leaders joined in the welcome to the two distinguished visitors to the town.

It was charming to see Lady Ridley lavishing her smiles and attentions on the rugged republican.

So far as numbers were concerned, the evening meeting

was a great success. The Circus was crowded by some five thousand people, full of expectation and enthusiasm. But the speaking was somewhat heavy. Lord Salisbury was a fine speaker. But his carefully prepared and well-balanced sentences, his deliberate utterance, the even tones of his sonorous voice, and the quiet dignity of his delivery, were better suited to a great debate in the House of Lords, or to a Guildhall banquet, than to the restless excitement of a public meeting. He made a powerful speech, but it was dull, and a dull speech to a passionate audience is always disappointing. Sir Stafford Northcote was unfortunate. He was obviously nervous, and by some ill chance an empty chair had been left on the platform just in front of his seat. He gripped the back of this chair, and tilted it backwards and forwards through the whole of his speech until he made those of us on the platform almost as nervous as himself. But this state of things gave me a great opportunity, and to be welcomed as I was upon such an occasion helped me to succeed, and my speech was, I think, one of the best I ever made.[1] Lord Salisbury was especially generous in his congratulations on the following day, and from that time to the day of his death he treated me with a personal kindness and consideration which added greatly to the pleasure of my political work.

With Sir Stafford Northcote I was already upon the pleasantest terms of friendship. When I came back to the House of Commons after my election for Plymouth, I met Randolph Churchill in the Lobby before I had taken my seat, and he urged me to come and sit below the gangway with him and Balfour and Gorst and Wolff. "You had much better join us," he said. "Sitting up there behind the Old Goat, you will never have any fun at all." I declined the invitation; and my usual seat was on the second bench, where Henry Northcote and I sat together just behind the leaders.

A few weeks before the Newcastle meeting I had a letter from Sir Stafford saying that there were two subjects upon

[1] See *Fraser's Magazine*, November 1881.

which he wished to consult me, and that he hoped when we met at Newcastle we should be able to discuss them. One was the very large increase which had just taken place in the number of Parliamentary electors, and the other the notice of motion which I had given in favour of carrying on Bills from one session to another. He said he would rather the notice had not been given, but as it was a *fait accompli* he would like me to consider whether I could not qualify it in some way. I knew we should have no opportunity of talking it over at Newcastle, so I sent him a long letter which he said put my case very well and deserved careful consideration. I heard no more from Sir Stafford upon this subject, and the motion came on for debate on February 21st, 1882. Unfortunately on that evening we had one of the Bradlaugh disturbances, which lasted for an hour and a half and was very violent. When that was over the House seemed very disinclined to address itself to a new subject. I spoke in the dinner hour to a small audience, and the debate which followed was dull and unimportant. The leaders on both sides absented themselves, while the obstructors on both sides resisted the proposal. As Lord Salisbury was in favour of it, and had himself in 1869 made a very powerful speech in its support, Sir Stafford could not well take the other side, and it was quite characteristic of his methods of leadership that he should himself leave the House, but make no objection to his son Henry seconding the motion and telling with me in the division. We were defeated by 126 to 61; and eight years passed before I had the opportunity of taking any further step towards this great reform. The next Parliament lasted only five months, and in that of 1886 I was Solicitor-General, and was of course debarred from taking any public initiative in such a matter.

The other subject on which Sir Stafford Northcote desired to consult me, the great increase in the number of electors, was connected with a curious bit of Parliamentary history.

In the year 1878 the House of Commons, by passing the Registration of Voters Bill without full consideration, made,

without knowing or intending it, a very large extension of the Parliamentary franchise. The clause which did this was scarcely noticed until three years later, when Sir William Harcourt, then Home Secretary, issued a circular to vestry clerks and overseers reminding them that every person inhabiting part of a house was entitled to be put upon the register. The result at Plymouth was that the constituency was almost trebled. In 1880 the number of voters was about 5,500. In the register which came into force in January 1882 the number was very nearly 14,000. I at once took steps to get into touch with the new electors. I felt that it was my first duty, and clearly my interest, to take an opportunity, if possible, of presenting myself before them in their different wards, and expounding to them at some length my opinions upon the principal political topics of the day. So instead of having one large open meeting at the Guildhall, as after this time was my constant practice, I held four meetings in different parts of the town, and sent out tickets of admission to all the electors in the different wards. In one of these speeches I dealt very fully with the condition of Ireland; in another with the question of Parliamentary Reform; one was devoted to Foreign Policy, and in the fourth I dealt very fully with Tariff Reform, which was then known by the more accurate and more attractive title of Fair Trade. This latter speech I included in the volume of *Selected Speeches*, published in 1908, in order that it should vindicate my title to be considered one of the earliest and most consistent of Tariff Reformers.

My work at the Bar was at this time steadily increasing. I had had the pleasant and very exceptional experience of finding that my taking silk had not caused even a temporary reduction of income. It generally does. I have known cases where incomes of two or three thousand a year fall to a few hundreds, and I have always advised my friends never to ask for a silk gown unless they had saved or inherited enough to assure them a private income of at least a thousand a year. The Election Petitions of 1880, of course, accounted for much of the income of that year; but the

5,969 guineas which my fee book showed for 1880 was followed by 6,544 for 1881, and the average of the three years 1881–1883 was 7,293.

The spring Assize of this latter year brought me the most interesting case which had come my way since the great cases of 1877. A young child disappeared one day from her home in Pimlico, and a fortnight later her body was found in the river Medway, at Yalding. A heavy brick had been placed upon the chest, and fastened with strong wire wound about the body. A young married woman named Esther Pay, who had been the mistress of the child's father, himself a married man, was soon afterwards arrested, charged with the murder, and committed for trial. She was identified as the person in whose company the child had last been seen in London; she had then for some time been absent from her home, and had given a false account of her movements; and the place where the body was found was near the end of a pathway which led to the cottage in which her parents lived. I accepted the brief for the defence, and the trial took place at Lewes on April 25th, 26th, and 27th before Baron Pollock.

It was a trial of immense dramatic interest, and resulted in a verdict of acquittal. I have told the full story elsewhere.[1] Unfortunately no full report was taken of my speech.

The most important incident of my life in 1882 was my remarriage. I had resolved that when the accustomed year of mourning was over I would find myself another wife. For more than fourteen years I had enjoyed the constant society of a loving woman, and I could not resign myself to loneliness. And my two children were so young (Ethel was only five years old when her mother died) that it would be possible for another woman, especially if she were one whom they already knew and loved, to knit again the broken strands of the home life and to give to their childhood and youth the comfort of a mother's care. Kathleen Bryant was their second cousin on their mother's side, and

[1] *The Cornhill Magazine*, January 1916.

they knew her better and were more attached to her than to any other relative; for during their mother's long illness she had very often been with us, helping to take care of them. It was not until many years later that I heard that my dear one not long before her death had expressed the hope that in seeking a second wife my choice should fall upon her. She was at this time twenty-four years of age; the interval between her age and mine being exactly that which promised a long-continued happiness in married life. Tall, of perfect figure, fair complexion, beautiful features, clear blue eyes, and bright golden hair, she was the prettiest girl I knew. Gradually the intention to ask her to be my wife formed itself in my mind, but my time and thought were very full of law and politics; she seemed rather to avoid than to seek my company, and I think the end of the year would have found me still a widower if it had not been that on July 31st she came with me to see *Romeo and Juliet* at the Lyceum Theatre. That tender tragedy of Love's fair banquet, spiced with the dust of death, moved us both deeply.

It was not the acting, for Henry Irving and Ellen Terry, an incomparable Benedick and Beatrice, were ill-fitted to play the young lovers of Verona. Two years later we saw on the same stage the ideal Romeo and Juliet in the youthful manliness of William Terriss and the innocent beauty of Mary Anderson. But no defect in acting can calm the passion of the play.

As for me,

> "The soul of the rose went into my blood,
> As the music clashed in the hall,"

and although I said nothing that night my mind was made up. The next afternoon I asked Kathleen Bryant to be content with a short engagement and a very quiet wedding, and to marry me on August 12th, and go to Switzerland with me for the first part of my long vacation.

She hesitated, demurred, then accepted, and at the end of the following week we were married at St. Giles's, Camber-

well, and went to spend a couple of days at the Lord Warden at Dover on our way to the Continent.

My dear wife proved to be a delightful companion, an admirable housekeeper, and an incomparable nurse.

There has never been a time during our forty years of happy married life when I have not been grateful for the enjoyment of her faithful and loving companionship.

We spent a few happy weeks abroad, and then came back to prepare for a political trip to the North of England, which had been arranged in consequence of the great success of my Newcastle speech.

It was rather a trying experience for a young bride ; for although we were entertained at pleasant houses, we were among entire strangers, and much of my time was filled with political conferences and the preparation of the speeches which were delivered to large audiences at Durham, Darlington, Sunderland, and Hartlepool. The most interesting house we stayed at was Halnaby, the residence of Mr. Wilson Todd, where we slept in the same room and bed which were occupied by Lord Byron and his wife on their wedding night, when the unhappy poet awoke and, seeing the red curtains, fancied himself in hell.

I had a special piece of good fortune in this trip in the admirable reporting of my speeches by a young reporter who was sent by *The Western Morning News* to accompany my progress from town to town. This man was Henry E. Duke. We then improved into friendship the acquaintance which had begun at Plymouth, and it has been my privilege to be of some use to him in the career which, resembling my own in its course through the Reporters' Gallery to the Bar and Parliament, has led him now to a high judicial post. A sound lawyer, an impressive speaker, calm in judgement, firm in decision, of untiring industry and of unswerving rectitude, he is daily showing himself a just, firm, and patient judge.

When the North Country trip was over we went down to Plymouth for the annual meeting of the Conservative Association, which was always held about the beginning of

October, and here my young wife was not quite so happy. The new chairman of the party, Mr. W. H. Hawker, was not master in his own house, where he was not allowed to smoke anywhere except in the kitchen, but he avenged himself by being despotic elsewhere, and he would not hear of a lady being on the platform at the meeting at the Assembly Rooms. So my wife had to creep up a narrow staircase to a gallery from which she could study the back of my head while I made what she thought was a very long and a very dull speech. A taste for listening to political oratory needs to be acquired. In later years she was fond of hearing me speak, but at this time I think she envied my chairman his capacity for indulging himself with a little gentle sleep at the dull passages.

The sitting of the Courts brought us back to London, and for a time we stayed chiefly at Belgrave Mansions.

Before the end of the year my mother's long illness ended in her death, and we at once began to consider the question of taking a more convenient London house. We discussed Kensington and the pleasant district north of Hyde Park, and went to look at houses in Onslow Square and Elm Park Gardens. But I had set my mind on a good library, and in the houses we looked at the third sitting-room was generally small and dark.

One day I said, " I wish we could find a house like one of those fine ones in Russell Square."

" Why not live in Russell Square ? " said my wife. " I should not object to it at all."

Much rejoiced I went to Coade, the house agent, and learned that number 37, at the north-east corner of Montagu Place, had been put into his hands for private sale. It was a fine spacious house built in 1801 for Sir James Park (though never occupied by him). There were six reception-rooms ; the large drawing-room and the principal bedroom were each thirty feet long by twenty wide, and there was a delightful first-floor room looking on to Montagu Place, thirty-one feet by nineteen, which was the ideal library I desired. The lease had seventeen years to run, and included a stable

near at hand ; the ground-rent was only £50 a year, which was the rent at which the stable was underlet.

I bought the residue of the lease for £1,700, and I count it one of the chief of the many pieces of good fortune that these pages record that for almost the whole of the busy period when my working life was spent in the Royal Courts in Fleet Street and the Houses of Parliament I occupied a delightful house so convenient for both.

We breakfasted every morning at 9 o'clock, and then, independent of omnibus or train, I found useful exercise in the twenty minutes' walk which took me down to the Temple. When the Courts rose I walked along the Embankment to the House of Commons, and thence at the cry " Who goes home ? " I walked up Whitehall, through Trafalgar Square, and past the Seven Dials, to my home, and so got the four miles a day of walking exercise which I have found desirable for health.

That walk home at night was a strange one. When the House sat late I would see the disappointed dealers in Goblin Market nodding their good-bye to friendly policemen, and bargaining with cabmen to drive them home. In Trafalgar Square when the nights were warm one saw the homeless outcasts lying out upon the stone. At the Seven Dials, where the police walked in couples, I used to walk in the road or at the pavement edge on the alert, and out of reach of the strange forms that sometimes lurked in doorways. I was not troubled by fear, and was never molested ; but I have seen the men on fixed point duty tighten their belts and start off at a run at the sound of a woman's scream ; and one night there were curses and shrieks for mercy from an upper room, and a woman crying " Murder " managed to throw the street door-key down to the police, who rushed in to her help, while the night wanderers crept and sidled into the street, and I quickened my homeward steps.

My wife and I made our new home very comfortable. The library was fitted with low bookshelves on the top of which fine bronzes and choice bits of Martinware soon found

their place. It fortunately happened that a well-known furniture dealer in Holborn sold off his stock just after we took possession of our house, and I spent £2,000 at the sale, on tables, and cabinets, and china. And I began to buy fine engravings, and the books for which hitherto I had had no room.

This story of my life would not be complete if I omitted a fortunate incident which happened about this date, the suggestion by my friend Sir William Jenner that I should give up the habit of smoking. I had learned to smoke when I was thirteen years old at a wretched boarding school at Calais, from which I was brought back in a very few weeks to my better surroundings at George Yard. From the time I was eighteen I was a constant smoker, and when I came to the hard work of a leader much engaged in Court I found the evil of the habit. I was indeed quite moderate in its indulgence. But it is impossible for the habitual smoker to avoid occasional excess. A long public dinner ; the interesting talk in the smoking-room after a political meeting ; the evening spent in the smoking-room of the House of Commons to escape the terrors of a Scotch debate,—all these were occasions of excess which sent me into Court the next morning with less clearness of brain and less steadiness of nerve than I should have had. But this was not very frequent, and I think I should have continued the habit had not Sir William Jenner said to me one day, " You should not smoke so much."

" Do you mean," said I, " that I ought to give up smoking altogether ? "

" Well," he said, " if you could give it up it would be a good thing for you."

I told him that I should be ashamed of myself if I had a habit I could not give up at five minutes' notice ; and since that conversation I have never smoked. For a few weeks I suffered severely, but at the end of a couple of months the desire had entirely passed away, and I have never felt the least inclination to resume the habit.

The gain was great and immediate. I had no more dull

and ineffective mornings. I always had the feeling that the mental and physical machine was working steadily and up to its normal power, and the comfort of that feeling can hardly be overstated. It was a fortunate day for me when I freed myself from the expensive and mischievous habit.

I do not propose to attempt any detailed narrative of my domestic life during the years of my active work in Parliament. It was a happy life and not very eventful. A son was born to us in 1883, and a couple of years later another came, somewhat prematurely, and lived only a few hours. My boy and girl were both delicate, and our fear lest they should have inherited their mother's ailment made us very anxious, but two years at an excellent boarding school at Hastings did for the boy just what my own stay at Edmonton had done for me thirty-five years before, and my daughter gained the same benefit from a longer stay at a very good school at Folkestone. My income went on increasing; we had a delightful house and ample means, and the only drawback to our happiness was that my dear wife's health, which had never been very strong, failed sadly after the birth of our second child, and during ten years of our stay at Russell Square prevented her full enjoyment of the society pleasures which at Court and at the great houses of the West End were now very freely offered to us.

We were always very fond of boating, and in 1884 I took a house for some weeks of the autumn on the river bank at Hampton. The following year we were at Sunbury; and in 1886 I rented the Vicarage at Staines. We found the river there so delightful that for the next three years we spent some weeks at a house a little below the bridge, and as wealth increased I began to think of buying a country house, and was much tempted by a beautifully situated house at Priest Hill which my old friend Virgo Buckland had built, but had not lived to occupy. But it was rather inconvenient for the railway, and again I had a great piece of good fortune. While Priest Hill was still under discussion

I saw an advertisement of the sale by auction of Thorncote, a house which stood in large grounds and could hardly be seen from the river, but about which I had always had some curiosity. The auction never took place. My wife and I went down one Saturday afternoon, and fell in love with the place, and by the following Wednesday the purchase was completed, and I found myself the possessor of the most delightful home that could be imagined. About twenty years earlier a man who expected that at an old aunt's death he would inherit her large fortune, bought the land, and spent upon the building of the house more than the £6,500 which I gave for the whole property. The aunt died and had left her money to somebody else, so he could not afford to live there, and the place was empty for some years. Then Dr. Yeo of King's College, London, bought it and lived there until after his wife's death he sold it to me.

There were eight acres of pleasant grounds, on the preferable side of the river, the towpath side ; a convenient and roomy house ; a fine walled garden, tennis and croquet lawns, good stabling and cowhouses, a private landing-stage, and a capital boat-house in which the boats were stored in winter, and which made a very pleasant lounge in the summer. Soon after I took possession I had the opportunity of buying a strip of frontage on the opposite bank, and this completely secured our privacy.

For very nearly twenty years this was our pleasant country home, and we thoroughly enjoyed it. The children grew up there. My eldest boy passed from Hastings to the famous Dr. Tabor's School at Cheam, and then to Eton, where he was a wet-bob, and one year coxed Macnaghten's boat on the Fourth of June. Then he went to Trinity Hall. He revived the Staines Regatta, which had formerly been a great rowing function, but had been allowed to drop, and as secretary restored it to great success. For several years a Trinity Hall crew rowed in the fours and pairs. We put them up at Thorncote, with Trevor Jones their coach, and there was high festival in house and gardens when they brought back their prizes and their days of qualified

abstinence were over. Fernie, Steele, Dixon, Croft, the Guinnesses, Looney Bullard—what dear good fellows they were !—how pleasant it is twenty years later to remember those happy days !

The boating was very useful to me. Every year my dear old friend George Ryan, of the London Rowing Club, who rowed eight years at Henley, one of the finest oars ever seen there, and one of the kindest, most generous and unselfish men I ever knew, used to come and spend some weeks with us. When I could get the whole day we sculled together down to Sunbury or up to Surley Hall, or if I could not get down from town until the afternoon we would go to Chertsey or up as far as the Angler's Rest for a little exercise. And my son would be there to take the sculls if his father was tired. Or if I preferred to be lazy my wife and daughter, who were both expert with the punt pole, would take me on the river, which for four days in the week was so quiet that one would hardly think it a public highway.

I am speaking of my pleasures at Staines, so it would be affectation to omit one of the greatest. That was the building of St. Peter's Church. When I bought Thorncote, the only place of Church of England worship within a mile of the house was a very uncomfortable iron building, too hot in summer and much too cold in winter, in the Edgell Road. Some one suggested that a church should be built, and a subscription list was opened. Two or three sums of £500 each were promised, but after that only small amounts were talked of, and it was clear there would be much difficulty in raising the required sum. A little higher up the river than Thorncote there was a charming site, where a row of fine elms stood along the river-side of a field which it was proposed to let in building plots. I was afraid these trees would be cut down, so I told my neighbours that if they would buy the site I would build a church upon it. The site was secured, and I employed Mr. George Fellowes Prynne, the son of my dear old friend and supporter at Plymouth, the famous Vicar of St. Peter's there, to design the church and superintend its construction. Dr. Temple, then Bishop

of London, came down to the laying of the foundation-stone by my wife on July 22nd, 1893, and the church was consecrated a year later. It has been a great happiness to me and mine.

It is said, I believe truly, to be a beautiful church. Except for a necessary, but not very rigid, limitation of cost, the architect had practically a free hand. He was working under a committee of one, who did not interfere. I state the cost, because I have seen exaggerated statements as to this, and I should like to encourage others to give themselves the same privilege which I have enjoyed.

The structure cost £8,000, of which the foundations in a gravel soil near the river bank accounted for £1,400; the heating, lighting, and choir furniture and seating and architect's fees came to £917. The organ built by Hele of Plymouth cost £1,000; the peal of eight bells £545; and the stained-glass windows, designed by the architect's brother, Mr. Edward Prynne, which have been added from time to time, and which are, I think, as beautiful as any modern glass I have ever seen, represent another £1,850; making a total of less than £12,500. I have never spent money which brought back so rich a reward to myself. For twenty-nine years I have worshipped God in this church, which He gave me the means and the will to erect to His service. For twenty years I have been one of the churchwardens and have read the lessons at the Sunday services. I hope my experience may lead men whom God has entrusted with wealth to make a thank-offering in this way. They may not often have the opportunity which was given to me of building a church close to my own home and enjoying its services myself, but wherever they build one they will find great happiness in thinking of its existence and its usefulness.

CHAPTER XIX

POLITICS IN THE HOUSE OF COMMONS AND ELSEWHERE : 1882–1884

THE motion for carrying on Bills from one session to another was not my only attempt to be of use in parliamentary work in 1882. In the previous autumn the Associated Chambers of Commerce had held a very successful meeting at Plymouth. At that meeting it was decided to introduce a Bankruptcy Bill, and after carefully going over the draft Bill with Mr. Barran, the Member for Leeds, I added my name as one of the proposers. Mine was the only Conservative name; the other three were Mr. Norwood of Hull, Mr. Monk of Gloucester, and Mr. Barran. It was, I believe, a very good Bill. It represented the considered experience and opinion of the Associated Chambers of Commerce, and my three colleagues were all men of large commercial experience. Its history was a curious one. No member on either side put down his name to oppose the second reading, so one night, rather late, the Bill came on. But Mr. Chamberlain, then President of the Board of Trade, moved that the debate be adjourned. We divided against the Government, and although all the Members of the Government in attendance voted for Mr. Chamberlain's motion, fourteen Liberals voted against them, and we had a majority. Upon that Mr. Chamberlain put down a blocking motion to prevent the Bill going into Committee, and told Mr. Barran he would only take the block off if he received a promise that the Bill should not be proceeded with until the Bankruptcy Bill he himself was going to introduce should be before the House of Commons. Mr. Barran gave the promise, and no Government Bill was

introduced that session. Indeed the year was strangely unproductive of domestic legislation, considering that it was the third session of a Parliament with regard to whose legislative activities great promises had been made. There was but one measure of considerable importance passed with reference to the interests of England, and that was a measure of much usefulness dealing with the difficult subject of settled lands, and for that the country was indebted not to the Government but to the ex-Lord Chancellor, Lord Cairns. I think almost the only measure which the Government could claim to have originated and passed was an Act to allow the Post Office to issue reply-postcards.

That autumn we had a curious instance of our leader's want of alertness.

On October 24th, 1882, Mr. Gladstone gave notice that on the following Thursday he would move a vote of thanks to the commanders, officers, and men of Her Majesty's Forces in Egypt. When the terms of the motion were published on the Thursday morning I noticed they contained words which described the operations which had taken place in Egypt as " the suppression of the military rebellion against the authority of His Highness the Khedive."

These were very disputable words, as they carried with them an indorsement of the policy of the Government which the Opposition and a great many of the Radicals were not willing to give. I saw Henry de Worms, and together we looked at the precedents, and found that in 1840, 1858, 1879, and in 1881 the neutral expression " military operations " had been used. I tried to see Sir Stafford Northcote, and, failing in that, wrote to him suggesting that if an amendment were proposed substituting the accustomed words the Government must give way, that then there would be an unanimous vote and at the same time a distinct party success. He sent back word that he thought the suggestion a good one ; that he should not move an amendment himself, but would be glad if the point were raised. So we went down to the House looking forward to a useful evening. Mr. Gladstone made a brilliant speech, and Sir Stafford

Northcote sat as usual as if mesmerised. He sat as Cecil Raikes had described him, "with the hands of perplexity travelling up and down the sleeves of irresolution."

Then he got up and in his very first sentence expressed his hope that the graceful act which the House was asked to perform would not be marred by any want of unanimity. There were two divisions with seventeen and twenty-five Irishmen in the "No" Lobby; and the most fortunate opportunity was absolutely thrown away.

The following year the labours of the Government were much more fruitful. With constant assistance from the Conservative side of the House they passed a good Bankruptcy Bill, a Patents Bill, and a very valuable Corrupt Practices Bill. The last named of these measures had the advantage of being in the hands of an Attorney-General who was deservedly in favour with all political parties. Sir Henry James was a man of great ability and of high character, and did honour to himself and his profession when four years later he refused its greatest prize, the Lord Chancellorship of England, rather than assist in setting up a Home Rule Government in Ireland. As an advocate he was skilful but not very courageous, and for fear of losing a case he often settled it when with a little more energy and persistence he might have won. But his handsome person, his suave and dignified eloquence, and his genial manners, made him a personal favourite in the Courts and in the House of Commons; and this greatly helped him in the difficult task of piloting the Corrupt Practices Bill through Committee.

He was assisted by the indignation felt by honest men of all parties at the flagrant and widespread corruption on both sides which was known to have influenced the elections of 1880. Of the extent of this corruption the election petitions which were tried gave only imperfect evidence. In some of the worst cases the defeated party did not dare to petition because of their own misdeeds. In others they were afraid to do so although their own hands were clean from bribery at this election; they knew that any investigation into the electoral history of the borough would result

in its disfranchisement because of the corruption which had taken place in past times: And sometimes when petitions had been presented there were negotiations between the Party Whips, and a petition which threatened a Liberal seat was quietly withdrawn and the attack on a Conservative seat elsewhere was at the same time abandoned. Again where a petition actually came on for trial, directly it became clear the seat could not be defended the attempt was abandoned, and it became the object of both parties to conceal from the judges the real extent of the corruption.

At the meeting of my constituents at the Plymouth Guildhall in January 1883, speaking of Sir Henry James' Bill which had been introduced in the session of 1882, but not then proceeded with, and was now about to be reintroduced and pressed forward, I said I should propose three amendments, two of which were intended to meet the evils I have just stated. I prepared a set of eight clauses which provided that if after a parliamentary election a certain number of electors were to present a petition alleging that there had been corrupt practices, a Commissioner should be sent down to inquire into the facts with power to summon witnesses and call for documents. This proposal had in substance been proposed by Mr. Disraeli many years before. When the Bill was in Committee my motion to insert these clauses was seconded by my dear friend Robert Reid (since then Attorney-General and Lord Chancellor, Earl Loreburn), an able lawyer, and a politician of independent thought and unflinching courage; one of the most high-minded, generous, and unselfish of men. It seems strange to me to call him Robert; he was affectionately known as "Bob Reid" by all his brethren of the Bar. The clauses were not accepted by the Government. They did not, of course, come up for discussion until the entire Bill as proposed by the Government had been considered, and it would have been unreasonable and useless to press them. The provisions of this valuable measure, and the great enlargement of the constituencies which has since taken place, have done much to remedy the evils they were intended to meet.

I was more fortunate in the other two important amendments which I proposed, and which were accepted, one in full and the other in part, by the Attorney-General. One was my proposal that from the time the Corrupt Practices Act became law no investigation on any election petition should go back to anything before that date. I had said to my constituents,

> We know of boroughs in this country where there are, on both sides of political parties, earnest and resolute men, determined, as far as may be, to make elections pure, but who yet are fettered by the difficulty of the past history of their borough. Let us draw a line, and let us start a fresh system, and then I believe we shall find that this difficulty being got out of the way, some of those boroughs whose electoral history has not been pure will be for the future places where parliamentary elections will be properly and purely conducted.

This was accepted, and my forecast has been fully justified.

My other proposal was to give the judges an equitable power of refusing to unseat a member if they found that the corrupt practice proved was a single act, entirely contrary to his instructions and efforts, and that it did not affect the result of the election. I was thinking of my own experience at Southwark, where my political career might have been marred, and the wishes of a great constituency defeated, because a member of my committee in the excitement of the polling day had given a silk handkerchief and half-a-crown to a voter.

Sir Henry James accepted the clause so far as treating was concerned, but, to my lasting regret, refused to allow the equitable relief in a case of bribery.

While Sir Henry James gained strength for the Government and credit for himself by the passing of this measure, the fate of Mr. Chamberlain was very different. He did indeed pass a Bankruptcy Bill which excited little controversy, and was only of political interest in the fact that when under its provisions many appointments had to be

made to the comfortable and profitable post of Official Receiver, most of these appointments were bestowed on solicitors who had been election agents on the Liberal side or otherwise useful to that party. But another subject had come to the front with which as President of the Board of Trade it was his business to deal. People were not greatly interested in law reform, but the public mind had been much excited by the frequence of the loss at sea of our merchant ships. That the laws relating to Merchant Shipping required amendment was quite clear.

In the year 1876 the Conservative Government had brought forward a Bill for the amendment of the law relating to Maritime Contracts, which was prevented from passing in great measure through the success of certain efforts at obstruction in which Mr. Chamberlain, who had entered the House of Commons two years before, took an active part.

But in 1883 Mr. Chamberlain determined to try his hand at a measure. He began by making a strange but characteristic mistake. In November 1883 he issued a circular from the Board of Trade which was a wanton and unjust attack upon the body of shipowners of this country. It stated that the loss of life had been increasing; and it said that this loss of life arose in a great degree from preventable causes with which the Bill to be proposed would have to deal. It was not a fact that the loss of life had been increasing. The year 1881–2 was a year during which there was a terrible loss of life, especially among fishermen. Very nearly 600 fishermen lost their lives in the gales of 1881, and that number raised very largely the average of the loss upon merchant shipping services. Even raised by that loss of fishing-boats the loss during that year was less than the average of the years before; and although this disastrous loss of life in fishing-boats was brought in to swell the statistics to be used in support of legislation, the Bill was to have no application to fishing-boats.

But between November 1883 and February 1884 no opportunity was lost of exciting the public mind against

the shipowners, who were denounced in the speeches of the President of the Board of Trade as men who were in the pursuit of unholy gains ; and then on February 6th the Bill was introduced and read a first time. It was full of serious difficulties. It provided that any person who was interested in the insurance of a vessel should have the right of opening the question whether that vessel was over-insured or not when the insurance was claimed, but curiously enough it left out all reference to the insurance of cargo, although there was reason for believing that the loss of life happening either intentionally or through wanton carelessness happened more often from the over-insurance of cargo than the over-insurance of the hull. It proposed to abolish the law of limited liability in the case of companies owning merchant-vessels, making all the members of the company liable if any loss occurred to the full extent of their fortunes. And it abolished compulsory pilotage ; which seemed an odd way of saving seamen's lives.

Three months passed before the Bill was put down for second reading. During that time negotiations had taken place between the shipowners, who absolutely refused to meet Mr. Chamberlain, and Sir Farrer Herschell, the Solicitor-General, who was called in to represent the Board of Trade. In these discussions the Bill was pulled all to pieces. The section abolishing compulsory pilotage was given up. The section abolishing limited liability was given up. The Bill was brought back to such a form that it was not so good a Bill for the benefit of the seamen as the Conservative Maritime Contracts Bill of 1876 would have been.

On May 17th Mr. Chamberlain moved the second reading of his attenuated Bill. He made an extraordinary speech. It began between 6 and 7 o'clock and lasted within a few minutes of four hours, and there were hardly twenty sentences of it which were directly relevant to the proposals he was putting forward.

I stayed there listening to the whole speech and taking notes of it, but of course there was no time for debate that night, and after one or two short speeches I moved the

adjournment of the debate. Week after week went by and the Bill was not again heard of. At last, about June 20th, I asked Mr. Gladstone when the Merchant Shipping Bill would be put down again for discussion. His answer was that he had received no communication from the right honourable gentleman in charge of the Bill which led him to think it desirable to fix the date for the resumed debate. The Bill was never again put down for second reading. It was put down on July 9th, but only for the purpose of being withdrawn.

I do not know the explanation of these strange proceedings. It may be that Mr. Gladstone, seeing the unfortunate position into which matters had drifted, interfered and compelled the abandonment of the Bill. It may be that Mr. Chamberlain himself, hurt by being excluded from the negotiations on his own measure, resolved in May to carry it no further, and took the opportunity of making a long speech to which no reply would be possible. But in any case the incident was a severe blow to his parliamentary position, and did not tend to improve the relations between him and the Prime Minister. They were never cordial and never could be. In 1880 Mr. Chamberlain and Sir Charles Dilke were admitted to office with great reluctance on the part of the Queen, and with hesitation and dislike on the part of Mr. Gladstone. The Queen could not forget that Sir Charles had made in 1872 a frankly Republican speech, and Mr. Gladstone could not easily forgive the man who had publicly declared that his election manifesto of 1874 was "the meanest public document that had ever in like circumstances proceeded from the pen of a statesman of the first rank." [1]

To me the most interesting figures in the House of Commons during that Parliament were Mr. Chamberlain and Lord Randolph Churchill. Each looked forward to becoming the leader of his party in the House of Commons; the one by succeeding Mr. Gladstone, the other by supplanting Sir Stafford Northcote. Each knew himself to possess

[1] Article by Mr. Chamberlain in *Fortnightly Review*, October 1874.

qualities which justified the ambition. Joseph Chamberlain was one of the most remarkable men the middle class of English society ever produced. When at the age of forty-three he entered the Cabinet he had only been four years in Parliament and had had no official training. But his life had been spent in useful public work at Birmingham ; and the position which there he had deserved and obtained gave him an unassailable seat in the House of Commons, and the unquestioned leadership of the advanced Radical party. He had an attractive personality. In face he was very like the portraits of William Pitt. The keen eager eyes and thin closely compressed lips told of energy and firmness. His voice was clear and strong, his words well chosen, his gestures free but not extravagant.

He and Sir William Harcourt did much to spoil House of Commons speaking by their too constant use of the *tu-quoque* argument and their abounding quotation from old speeches of their opponents. The greater masters of debate, Disraeli, Gladstone, Balfour, and Asquith, have very rarely used this weapon. But when a capable man condescends to employ it it is very formidable. For thirty years Mr. Chamberlain was unquestionably one of the foremost debaters in the House. In language and in manner he was always respectful to his chief, but he was a somewhat troublesome colleague. Before the Government was a year old he and Mr. Bright, both Cabinet Ministers, absented themselves from an important division on our policy in the Transvaal. Almost at the same time, when disorder in Ireland was rapidly increasing, they successfully opposed the policy of Mr. Gladstone, who wished to strengthen the existing law but to retain trial by jury, and they insisted on the suspension of the Habeas Corpus Act. The admission of Sir Charles Dilke to the Cabinet, which the Prime Minister practically forced upon the Queen in December 1882, strengthened Mr. Chamberlain's position, and he afterwards adopted a tone of independence in his public speeches which Mr. Gladstone strongly disapproved. In 1883 he made a speech at Birmingham which gave the Prime Minister much

concern, and a letter of remonstrance had little effect. Speaking of the Birmingham speech Mr. Gladstone wrote to Sir Henry Ponsonby,

> I consider the offence does not consist in holding certain opinions, of which in my judgement the political force and effect are greatly exaggerated, but in the attitude assumed and the tone and colour given to the speech.[1]

The young leader was treading on the heels of the old one and not unwilling to trip him up, but not yet finding the time quite ripe for his own supremacy.

On the Conservative side there was something of the same position, and in the domestic controversies of the party I, who had been a member of the Council of the National Union of Conservative Associations ever since its foundation in 1867, took an active part.

Lord Randolph Churchill was a strange creature, and ill-equipped for the great task which he set himself when he resolved to become the leader of the Tory party. His life for five-and-twenty years was idle and frivolous. Then the Prince of Wales quarrelled with Lord Blandford, and it was understood that the Marquis must not be asked where the Prince was likely to be present. Lord Randolph took up his brother's side in the quarrel, and the doors of London society were for some years closed against him. It fortunately happened that his father became Lord-Lieutenant in Ireland, and four years spent there as a sort of unofficial private secretary gave him a close and sympathetic knowledge of the Irish people. Then the rout of the Conservative party and the fall of the Ministry in 1880 opened to him the great game of politics, and he plunged with delight into the pleasures of a free-handed and irresponsible opposition.

He had little knowledge of literature and none of science, no familiarity with political history, and very slight acquaintance with foreign affairs. But he had, when in good humour, an all-conquering charm of manner. His

[1] Morley's *Life of Gladstone*, ch. iii, p. 13.

talk, like his speeches, sparkled with apt and incisive phrases. He could be the most delightful of companions. But his temper was fickle as April and stormy as October. His friendship and his enmity were always in extremes. And no one could guess how soon he would pass from one to the other. It is truly said in Winston Churchill's brilliant Life of his father, one of the best political biographies in our language, that—

> No one could tell what he would do, or by what motive, lofty or trivial, of conviction or caprice, of irritation or self-sacrifice, he would be governed.[1]

In 1882, by the casting vote of Lord Percy, whom he afterwards treated with ungrateful discourtesy, Lord Randolph was co-opted as a member of the Council of the National Union, and it soon appeared that he had resolved to try to obtain for himself and his group of followers the entire control of all the activities of the Union. He proposed to get rid of the Central Committee, privately appointed by the leaders of the party, which at that time dealt with the selection of candidates for Parliament and the administration of party funds. These matters, as well as the direction and declaration of the party policy, were, according to his scheme, to be controlled by the committee elected at the annual meeting of delegates of the Conservative Associations which were affiliated to the National Union. To me and to most of those who had like myself worked on the Council for fifteen years the proposal seemed mischievous and even absurd. A conference so constituted and meeting only once a year was quite unfit to determine questions of policy, while a committee so elected could not safely be entrusted with the management of party funds privately contributed, or the settlement of the personal questions which arise at every election and require the most delicate and confidential treatment.

At the Birmingham Conference in October 1883 Lord Randolph, carrying out an arrangement he had made with

[1] *Lord Randolph Churchill*, p. 129.

Gorst and Sir Henry Wolff, declared war against the Central Committee, and advocated the placing of all power and finance in the hands of the Council of the National Union.

His speech was much cheered, and there was the appearance of a triumph in the passing without a division of a perfectly innocuous resolution directing the Council to take steps to secure for the National Union "its legitimate influence in the party organisation." The Conference voted for the resolution, not the speech, and there was no reason for any one to vote against it. But when it came to the election of the Council the conspirators were not successful. Gorst, writing the next day, described Lord Randolph as carrying all before him by a capital speech, but added :

> The election, however, went off badly. Clarke, Chaplin, Claud Hamilton, and a lot of other undesirable men got elected, and it will require the greatest care and skill in the selection and election of the twelve co-opted members to secure us the necessary working majority.

This working majority was not secured. In February Lord Percy resigned the chairmanship of the Council, Lord Randolph Churchill and Mr. Henry Chaplin were proposed for the office, and it was only by a majority of 2 (17 to 15) that Lord Randolph was elected. Then followed a stormy eight months of Resolutions and Reports and Committees and Conferences, with four very important divisions in the Council. In the first two of these Lord Randolph was successful, by 19 to 14, and 17 to 13, but in June the balance had shifted. Earl Percy moved that the Annual Conference should be held at Sheffield and as soon as possible. Notwithstanding a violent resistance by Lord Randolph and his party, this was carried by 19 to 17. A fortnight later an attempt was made to postpone the Conference. Great efforts had been made to bring up voters to support this proposal, but when the vote was taken it was rejected by 19 to 18. I have no record of the names of those voting in an important division which took place

[1] *The Fourth Party*, by Harold Gorst, p. 258.

in May, when it was resolved by 17 to 13, in spite of Lord Randolph's opposition, to accept a suggestion of Mr. Rowland Winn, the chief Conservative Whip, that a few of the members of the Council should be deputed to confer with the Central Committee. Lord Randolph and Gorst refused to serve on the deputation, and Maclean, the mover, Mr. Henry Chaplin, Lord Claud Hamilton, Mr. William Houldsworth, and I had an interview with Mr. Edward Stanhope, Lord Henniker, Mr. Arthur Balfour, and Mr. Whitley, who then constituted the Central Committee.

Upon the passing of this motion Lord Randolph in a fit of temper resigned the chairmanship of the Council, sent paragraphs to the newspapers foreshadowing his withdrawal from political life, and drafted a long letter to his chairman at Birmingham relinquishing his candidature for that borough. The letter was never sent. He repented of his haste, withdrew his resignation, and made vigorous preparation for the meeting at Sheffield. Meanwhile the negotiations with the Central Committee resulted in a complete arrangement, which was unanimously confirmed by the Council on June 24th. Lord Randolph was profoundly dissatisfied with this settlement, and determined to appeal to the Sheffield Conference to change completely the membership of the Council by expelling from it all the members who had acted together in thwarting his plans. On July 21st he sent out to all the delegates a list of the gentlemen, thirty in number, "proposed by Lord Randolph Churchill for election to the Council of the National Union." With it was a lithographed letter from himself. He said :

> The composition of a representative powerful and independent Council has occupied my most anxious attention, and I most earnestly trust that the subjoined list may meet with your approval and receive your support.

On the 23rd Lord Salisbury spoke at a large meeting at Sheffield upon the action of the House of Lords with regard to parliamentary reform. I made a speech at that meeting. Lord Randolph absented himself. So did Gorst and

Forwood, who were busy at the Victoria Hotel organising victory for the next day.

Four hundred and fifty delegates were present at the conference. It was a good straight fight. Lord Randolph exhorted them to vote for his list, and so clear away from the Council those who obstructed him. I reminded them that the men he desired to ostracise had worked for the Conservative party, in and through the National Union, for years before he had taken part in political work. So amid cheers and counter-cheers we went to the voting.

Lord Randolph's name was on both lists, and when the numbers were announced he stood first with 346 votes. Forwood, a new candidate, widely and deservedly popular in the north of England, and Colonel Burnaby, the second candidate for Birmingham, and just then a popular idol, were second and third with 298 and 293 votes. But the next four names were the important ones, and their position on the list showed that the conspirators had failed. They were : Clarke, 289 ; Chaplin, 271 ; Gorst, 264 ; Wolff, 261.[1] Twenty-two were elected from Lord Randolph's list, and nineteen from Earl Percy's : some names had appeared on both. Three were elected who had not been on either. These were : Sir M. Hicks-Beach, 212 ; Colonel King-Harman, 212 ; and Mr. Arthur Balfour, 186. Lord Randolph's friends went away shouting at their apparent victory. Most of us came back to London by the 6.25 North-Eastern train, and at Rugby we stayed for a few minutes, and I met Sir Henry Wolff. " Well, we have beaten you," he said. " Not a bit of it," I replied. " You go carefully over the names and numbers to-morrow morning, and you will see they tell a different story."

The next day Lord Randolph surrendered. Sir Michael Hicks-Beach became chairman of the National Union, which reverted to the functions it had so successfully exercised, and Lord Randolph was not seen there again.

Whether the capitulation was prudent or unwise it had

[1] A curiously inaccurate statement as to this will be found in the *Life of Lord Randolph Churchill*, ch. i, p. 355, and *The Fourth Party*, p. 300.

one very definite and important result. It destroyed the Fourth party. Gorst was not in town and was not in any way consulted. He strongly resented the breach of an express agreement which had been made when he risked his political future by joining in this campaign that no step should be taken without his approval. And he refused to attend the dinner which Lord Salisbury gave to the new Council to show that all dissensions were now at an end.

During these two years of conflict, and indeed during the whole of his political life, my friendship with Lord Randolph, which had begun at Woodstock in 1874, was never interrupted. I dined with him at his club, and he dined with me at the Garrick. Sometimes he talked to me about what he intended to do in the House, and once at least, at his request, I intervened in debate in order to draw Mr. Childers and give him the opportunity of reply.

And it was not long after the stormy fight at Sheffield that he asked me to come to Birmingham and make a couple of speeches for him. One was at a dinner of the local Conservative association, and the other on the following day was at Aston Park. It had been arranged to hold a great meeting at the Skating Rink there, and to show that all differences had passed away Sir Stafford Northcote had promised to make the principal speech. Sir Stafford and a large party of Members of Parliament arrived at the Park at the appointed time. But the friends of Mr. Chamberlain had been busy. Hundreds of forged tickets had been printed and used without detection. But this was not enough. A wagon with a heavy piece of timber was brought to the part of the Park wall nearest to the Skating Rink, and shortly before the time fixed for the meeting the timber was used as a battering-ram, the wall was broken down, and a crowd of roughs rushed through the gap and took possession of the Rink. When we reached the Park we heard that the large hall was in the hands of the mob, who were breaking up the chairs (Jim Lowther said they were engaged in the redistribution of seats), and that it would be dangerous for

our party to try to reach the platform. But Sir Stafford insisted on making the attempt. There was a smaller hall near the chief entrance to the Park, and it was arranged that this should be filled by our friends and the doors strongly guarded, and that I should start a meeting there and go on speaking until we heard how the Skating Rink party had fared. It was not a very pleasant task, but I did not have to speak long. Presently shouting was heard, and Sir Stafford, with a broken hat, and his habitual calm a little disturbed, was brought back through the crowd and with some difficulty guarded from personal violence. He came on the platform of the small hall, made an excellent speech, and as the reporters had been told of our arrangements the meeting was fully reported. I think the blackguardism of our opponents, the riot at the Skating Rink, and our subsequent meeting, did our cause far more good than we should have had from an undisturbed demonstration at the Rink.

I was always fond of financial questions, and in 1884 I had provoked a somewhat violent controversy by attacking in a speech at Mount Edgcumbe the Financial Reform Almanack, then issued each year by the powerful Financial Association of Liverpool. I called it "a magazine of lies." When the phrase was resented, I quoted from the Almanack twenty-two specific statements, every one of which was untrue.

Between the date of the Sheffield Conference and that of the Aston Park riot I went to the annual meeting of the Conservative association at Plymouth, and there challenged upon this question of national finance the most doughty of all combatants.

The Prime Minister had, three weeks earlier, on September 1st, made a speech to his constituents which contained the following passage:

> I will give you with the utmost exactness a comparative statement which it is quite impossible for them [the Tories] to shake, and which I will convey to you in no very great

number of words, avoiding all detail, lumping all large sums of money, and making use of round numbers for the sake of greater simplicity and intelligibility. For the last four years of the late Government the gross expenditure of the country was £329,000,000; in the last four years of the present Government—do not be alarmed—the expenditure of the country has been £342,000,000; that is, apparently, in comparing the two Governments, our account is £13,000,000 to the bad. Let us look a little further into the matter. I must first of all deduct the expense of collection. You know we have vast establishments connected with post-offices, telegraphs, and so forth. To charge them to taxation would be absurd. I do not therefore take the expense of collection, and the two sums then would be —that for the late Government 297½ millions, and that for the present Government 306¾ millions. There are still 9¼ millions remaining to the bad against us; but I go further, and I deduct the debt we have paid off, because undoubtedly what you spend in the payment of debt ought not to be reckoned as expenditure. We have paid, as I have told you, 25 millions of debt against 11 millions; and consequently, when we bring this into account, we are no longer to the bad, but are to the good by the amount of 4¾ millions.

A little later on in the speech he again said, "So far I have been dealing with matters of fact, and no man can shake one of the figures I have laid before you."

At my meeting at Plymouth on September 22nd I quoted that statement and declared that every figure in it was wrong.

As I hoped and expected a Plymouth Radical sent the full report of my speech to Mr. Gladstone. He replied that he was prepared to stand by the figures he had used. I returned to the attack in a later speech, and the Prime Minister then said that he believed his figures might be relied upon, and that I did not appear able to comprehend the system on which the finances of the country were conducted.

The fact was that the figures were not really Mr. Gladstone's at all. They had been supplied to him by a young

official in the Post Office through Mr. Fawcett, who was then Postmaster-General, and the Prime Minister had incautiously used them without examination.

The opportunity of encountering the great financier on the field where he had been so long supreme was not to be lost. So as soon as Parliament reassembled I wrote to Mr. Gladstone, saying that unless he suggested another convenient opportunity I would move a formal addition to the Address and so secure a discussion. He replied in a letter which is so admirable an example of his epistolary style, with its reservations and qualifications, that I think it is worth quoting in full.

10, Downing Street, Whitehall,
October 25th, 1884.

My dear Sir,

I thank you for your courteous note, but I am altogether unable to concur in the arrangement you suggest, and I even hope you will substitute some other for it.

To move an amendment to the Address for the purpose of introducing a discussion which has for its aim to settle a difference of opinion, or of figures, between two members, as to retrospective finance—in short, to use the Queen's Speech and the Answer to it as an occasion parallel to the Friday motion of Supply, would be a proceeding (in my view) as inconvenient and as little seemly as it would be unexampled.

The Committee of Supply will shortly have to be set up, and that, with all the usual opportunities, will become at once available when the House has dealt with the Franchise Bill, assuming that it shares the view of the Government as to the particular method of dealing with that measure. I do not say that there is no objection to the settlement of such a matter in this way, for I think there is; but it is not open to the same grave objections as the introduction of it into the debate on the Address.

I remain, my dear sir,
Faithfully yours,
W. E. Gladstone.

E. Clarke, Esq., M.P.

I add my brief reply :

37, RUSSELL SQUARE,
October 25th, 1884.

DEAR MR. GLADSTONE,

I am much obliged by your letter, and in deference to your judgement I will at once abandon the arrangement I proposed, and will let the matter stand over until Supply has been set up. At the same time I regret the postponement, and I hope that in default of any earlier opportunity that may be thought an appropriate occasion for the discussion.

Believe me, dear Mr. Gladstone,
Faithfully yours,
EDWARD CLARKE.

THE RIGHT HON. W. E. GLADSTONE, M.P.

Supply was set up, and I was fortunate in the ballot and obtained the second place for Friday, November 21st, and on that evening I went to the House full of expectation of a conspicuous triumph. But I was disappointed. The astute old gentleman had found a way of escape.

As I entered the House a long envelope was handed to me, which contained a note from Mr. Gladstone, in which he said that he did not intend to make any reply. This, of course, was a confession of defeat. If he could have justified his figures, he would have delighted in making a public example of an opponent who had ventured to question his infallibility in finance. The reasons he gave were that in an incidental debate on finance a week or two earlier I had not taken part, and that the question of comparative expenditure was one for the Chancellor of the Exchequer, Mr. Childers, to deal with. These were transparent pretences. My controversy was not with Mr. Childers, but with him ; and if after giving notice of a specific motion I had brought the matter up in the course of a general debate, I should have been justly accused of trying to take my adversary at a disadvantage.

Enclosed with his note was a memorandum covering eight pages of quarto paper. It was dated " Downing Street, November 21st, 1884," but is not, I think, in his hand-

writing. It was a curious document, in the form of a dialogue between A and B; but I need not describe it, as any one still interested in this old controversy can read it in *The Nineteenth Century* of December 1884. It suffices to say here that it contained no reaffirmation of the Edinburgh figures.

On receiving this letter and memorandum, I at once went to the Speaker, told him the circumstances, and asked his permission to make a personal statement. He consented; and when he called upon me I read Mr. Gladstone's letter, and then said that I did not think I should be consulting the convenience of the House in making a speech to which no answer would be given. I said I would put the substance of the speech into print, and, taking advantage of the permission given, I would append to it the long manuscript statement which the letter enclosed, and would send a copy to every member of the House.

I think my action made me for a time one of the most popular of men. That a lawyer, having the House at his mercy, and primed with a long speech on a dull subject, should refrain from delivering it, and send it in print, so that those who chose to do so might read it and consider it at their leisure, was so new an experience that I believe the incident immediately and finally relieved me from the prejudice which was undoubtedly felt in the House against members of my profession. As I left the Chamber I met in the Lobby my old friend James Knowles. "Let me have your speech," he said. "I want it for my December number, and it will be just in time." I told him I had never in my life written out a speech in full before delivering it, and had no manuscript which would answer his purpose. "Well, if I send you a shorthand writer to-morrow morning, will you dictate it to him?" I agreed, and the next day I delivered my speech walking up and down my delightful library at Russell Square. The proof was corrected on Monday (the 24th), and two or three days late *The Nineteenth Century* containing it was issued to the trade. The incident was pleasantly closed by Mr. Knowles sending me

a cheque for fifteen guineas, which added to my library a fine edition of Swift's works.

The promised pamphlet was duly sent to every member of each House of Parliament.

Of course I had not resolved upon putting down an amendment to the Address without consulting my leader in the House of Commons.

I wrote to him from Plymouth, remonstrating on his having apparently accepted the Edinburgh figures as correct, and in reply he asked me to come and dine and sleep at Pynes, or at all events to come and lunch there. So on October 10th I broke my journey at Exeter and drove out to his beautiful old house. There I spent a delightful afternoon. We did not talk much about finance, for I took with me a startling bit of news on a more important subject than the accuracy of Mr. Gladstone's figures. At Exeter I had found the London newspapers, and there in *The Standard* was printed the full text of the Redistribution Bill, upon the production of which the Tories had been clamorously insisting. In those days there were no telephones, but it seemed to me very strange that, with the telegraph wires available, the leader of the Opposition in the House of Commons should at two o'clock in the afternoon be quite ignorant of such a document having been published eight hours earlier. Our conversation was mainly about the position of the Reform question. The Franchise Bill, which in April had passed its second reading in the House of Commons by a majority of more than three to two (340 to 210), and had been read a third time without an opposing vote, had been practically rejected by the House of Lords; and Parliament had been prorogued and an autumn session fixed for October 21st, in order that it might again be rapidly passed and sent up to the Lords with the menace that if they dared again to reject it they would imperil the power, if not the existence, of their House. Sir Stafford complained bitterly that he was being ignored in certain negotiations which he believed were going on. He told me that the Duke of Richmond had been to Balmoral, and he

thought that Lord Salisbury and the Duke and Lord Cairns were busy in negotiations from which he was entirely excluded. He was mistaken in this. The suggestions which the Queen had made in September to the Duke of Richmond had led to no result.

Two days before the meeting of Parliament in October 1884 I was at the Carlton, and met Edward Stanhope and Lord George Hamilton, and asked if anything had been arranged as to the course of the Conservative party. They said no, so I saw Henry Northcote and found from him that no plans had been settled, but that a meeting of the members of the late Government was to take place at Sir Stafford Northcote's house the afternoon before Parliament met.

I thereupon drafted an amendment to the Address, and urged upon Northcote that it would be a serious blunder to take a great party division upon the second reading of the Franchise Bill, as it was quite certain that we could not now detach any Liberals from their party.

The amendment I drafted was in these terms :

That the House humbly assures Her Majesty of its willingness to proceed immediately to the consideration of the question of Reform and its desire to arrive at a fair and just settlement of the whole question, and to that end it humbly prays Her Majesty to cause the proposals of Her Majesty's Government with respect to the redistribution of seats to be laid upon the table of the House, and assures Her Majesty that those proposals shall be diligently and carefully considered.

I suggested that if this were moved as an amendment to the Address all the Irish party and a certain number of Liberals might be expected to vote for it, and so induce the Government to come to a reasonable agreement by substantially diminishing their majority.

Northcote took the draft to give to his father. A few days afterwards I heard from him and from Stanhope, to whom I had also spoken on the matter, that the proposal had been discussed at the meeting at Sir Stafford's, and that

Lord Salisbury as well as Stanhope was in favour of it, and that Sir Stafford was also inclined to support it. It was, however, set aside in deference chiefly, so Henry Northcote told me, to the objections of James Lowther and Rowland Winn, who thought that it would obtain for us so good a division that afterwards when we came to divide upon the Franchise Bill itself it would appear that our supporters were falling away from us.

The result of this decision was that we divided again against the second reading of the Franchise Bill, did not get a single vote from the Irish or the Liberal party, and were beaten by a majority of 140.

The very day after I had my conversation with Sir Stafford at Pynes the Queen suggested to Lord Salisbury that the leaders of the Opposition should be prepared to negotiate with the Government on the basis of a very moderate speech made by Lord Hartington at Hanley, in which, to Mr. Gladstone's dissatisfaction, he had used the word "compromise." In the negotiations which followed Sir Stafford took a very important part.

On November 14th he had a private conversation with Mr. Gladstone, in which, Lord Morley says, "they made good progress on the principles of redistribution."[1] And five days later there began a remarkable series of meetings at Downing Street, where Lord Salisbury and Sir Stafford met the Prime Minister and some of his colleagues, the Government scheme was produced and discussed, and the main provisions of the Bill were practically agreed. A dangerous constitutional conflict was averted; a sound measure of redistribution of political power was carried through; the privilege and responsibility of the franchise were widely extended; and so far from producing the revolutionary results very freely predicted, it happened after the Reform Bill of 1884, as after those of 1832 and 1867, that the next election but one put into power those who had most feared its effects. To the wisdom and tact of the Queen and her resolute perseverance in the face of many difficulties the

[1] *Life of Gladstone*, ch. iii, p. 136.

country was chiefly indebted; but all the statesmen concerned were entitled to share the credit, and especially Lord Salisbury, who had the hardest task of all. To the very last he was doubtful of success.

On November 15th I wrote to him from Russell Square, enclosing a memorandum:

DEAR LORD SALISBURY,

I apologise for troubling you who have so many counsellors, and need them so little, but I am very anxious about the present situation, and think the suggestion in the enclosed memorandum may offer a reasonable solution. The essentials of a compromise, which I think very desirable, are—

(1) That the Government should appear to succeed by putting the Franchise Bill upon the Statute Book without making its operation contingent upon the passing of a Redistribution Bill.

(2) That the House of Lords should succeed in making it practically impossible that an election should take place on the new franchise and the old constituencies. The suggestion of F—— would only secure the first of these essentials, and I think mine would secure both.

Believe me, my dear Lord Salisbury,

Very faithfully yours,

EDWARD CLARKE.

The enclosed Memorandum:

(1) House of Lords to pass the second reading of the Franchise Bill.

(2) Government then to introduce Redistribution Bill in House of Commons, declaring that Parliament will be adjourned, not prorogued, and the Redistribution Bill taken in precedence of all Government measures.

(3) Names of Boundary Commissioners or the mode of their selection to be agreed.

(4) House of Lords thereupon to pass the Franchise Bill, amended by inserting [Mr. F.'s clause] instead of January 1st, 1885, these words: "January 1st, 1886, or such earlier date as may be appointed by any Act passed for the Redistribution of Seats"; or these words: "January 1st, 1886, unless before that date an Act shall be passed for the Redistribution of

Seats, in which case this Act shall come into operation on the day when the royal assent shall be given to such Act for the Redistribution of Seats."

No. 3 might be given up by way of compromise.

The words suggested in (4) escape the objection taken by Mr. Gladstone to Mr. ——'s words—There can be no double register. They do not definitely postpone the operation of the Franchise Bill.

They practically secure the requirements of the House of Lords.

This Government may pass the Bill now to be brought forward.

In that case election in the spring of 1886 on new constituencies. The election will not then have been delayed a single day by the action of the House of Lords.

The Government may fail.

Then there must be a dissolution upon the old franchise. If Liberals win, they were pledged to moderate redistribution, and Conservatives are no worse off than before, rather better. If Conservatives win, they have the session of 1886 to either (1) pass Redistribution Bill, or (2) pass a Bill postponing the operation of the Franchise Bill.

Lord Salisbury replied the next day:

MY DEAR CLARKE,

I agree with you in thinking a compromise desirable under all the circumstances of the case, but I do not think your proposal gives us sufficient security against an election on the old constituencies with the new franchise. There is a gap—the interval between January 1st and April 26th, 1887. If it did happen that redistribution were not finished in 1886, the pressure would be very strong and practically irresistible to hold the dissolution over the New Year, so as to allow the two million capables to vote. If your proposal said January 1887, it would no doubt be more favourable.

Yours very truly,

SALISBURY.

A few days later I sent another memorandum upon the political position:

Franchise Bill has passed the Commons by majority of 140, and the House has by a majority of 85 refused to make

its operation (in terms) dependent upon the passing of a Redistribution Bill.

The House of Lords may :

(1) Reject.

(2) Pass second reading and postpone Committee to February next.

Of these courses the second would be far the best for three reasons :

(1) It could not be usefully alleged that the Lords had thrown out the Bill.

(2) It would greatly embarrass the Government.

(3) It would take away all excuse for the creation of Peers.

Rejection would be a defeat to which the Government could not submit without fatally weakening their position in Parliament and in the country.

They must then either—

Obtain the creation of Peers (to be avoided by the adoption of the second course).

Resign / Dissolve } These both mean dissolution, for a Conservative ministry could not meet this Parliament with advantage.

What are the prospects of a dissolution ?

Probably the Tory party would gain so many seats as to have a majority over the Liberals, the parties being :

Tory	300
Liberal	270
Parnellites	90
	660

What must then happen ?

The new Government would let 1885 pass by ; the moderate Liberals would probably decline to join the Parnellites in ejecting them.

But in 1886 it would be necessary to make arrangements for a Reform Bill, and in 1887 one must be proposed, and that Bill would emerge from the House of Commons a much more Radical measure than can be got now. But the result of an election might be that the Liberals would have a majority. In that case they could do just what they pleased, for it would then be practically impossible for the House of Lords to interfere at all.

There are reasons why it would be well for the Tory party that the election should be postponed.

The difficulties of Egypt and Ireland are not at their worst.

Increased taxation will be immediately required.

Agricultural and commercial depression is increasing.

The Government have succeeded in removing the impression that they desired or had any reason to conceal their scheme.

An immediate reply came from Hatfield, dated November 24th :

A line to thank you for your very suggestive paper. The difficulty is the profound division of opinion among our own friends, and it is a difficulty which grows the worse the more we look at it.

Ever yours truly,
SALISBURY.

By the way of personal history I may here put in a few sentences from my letters written from the House to my wife, who was then at Hastings :

November 20th, 1884.

All things seem in confusion down here. The Government cannot tell us what is to be done in Egypt, nor what they propose to spend on the Navy ; so probably we shall adjourn on Monday for a week. But I believe that nothing will prevent my attack on the old gentleman coming on to-morrow, so I am going home presently to put the finishing touches to the speech. The Radicals are delightfully savage, and there has been a very definite rumour of Mr. Chamberlain's resignation, but I fear it is too good to be true. When I was in the middle of the last sentence, Labouchere came up to speak to me about to-morrow evening. He has given notice of a motion attacking the House of Lords, and he says he is going to dilate on " the humiliating surrender, the old man grovelling on his knees before the Peers." It will be fun, and as I stand next after him I shall have to be there.

December 1st, 1884.

Mr. Gladstone is just about to make his statement about the Redistribution Bill, and I do not know what sort of

debate will arise upon it to keep me in the House, so I will just snatch the time to report myself all safe in town. . . . There is plenty of excitement here : at least a third of the members will have to stand for fresh constituencies, and most of them do not seem to like the prospect. Plymouth is one of the few constituencies which are " not too large but just large enough " to be left alone, so I can feel philosophical. But for the next twelve months this will be a very singular House of Commons. Just up : so I must be off.

The publication in *The Standard* of the Cabinet draft of the Redistribution Bill was a very curious incident. The Spottiswoodes had for a long time been the Government printers, and for a time it was believed or pretended that they were responsible for the betrayal of a Cabinet secret. They were at once notified that they would no longer be entrusted with Government work. The heads of the firm came to me for advice, and explained to me the elaborate precautions which were taken when confidential documents had to be printed for use by the Cabinet. A group of the most experienced and trustworthy men in their employ were entrusted with the work. The manuscript was separated into small parts, and so distributed to different men in different places that no printer ever had in his hands, or could get access to, the whole document. Only as many copies were printed as there were members of the Cabinet, and these copies were all numbered.

On my advice statutory declarations were made by the persons who in this case had been employed on the work, and were sent to the Treasury. In a short time Spottiswoodes were restored to their position. I have always been curious as to the explanation of this incident. It may have been a disloyal act on the part of an individual member of the Cabinet ; it seems to me more likely that it was a calculated indiscretion, not disapproved by the body of its members, and intended to assist the process of negotiation by directing attention to the details of a redistribution scheme.

The subject which interested me most in the Reform discussions was that of Proportional Representation. I

worked actively with Mr. Courtney and Sir John Lubbock in the public meetings at which Mr. Hare's system was practically illustrated. And I should like to quote two sentences from the report in *Hansard* of the speech which I made in the House of Commons in Committee on the Franchise Bill:

> I can hardly imagine a Reform Bill so extensive that it would be unsafe to adopt it if it were associated with the principle of Proportional Representation.
>
> With regard to that principle, valuable as I think it would be, and safe as it would make the enlargement of the franchise, it is the only means by which it will be possible permanently to retain Ireland within the parliamentary system of this country, and therefore I heartily wish it could be incorporated in the present measure.[1]

There is one other speech made by me in the eventful year of 1884 which I think I ought to mention, as it had some effect on my fortunes at Plymouth a good many years later.

At one of my meetings there I had been asked whether I was in favour of the Bill for permitting marriage with a deceased wife's sister. I replied that I was. The High Church party at Plymouth was very strong, and included some of the most influential men of the town. Their leader among the clergy was my dear friend the Rev. G. R. Prynne, the vicar for fifty years of St. Peter's, Plymouth, a man of saintly character, honoured and loved by all who knew him. We differed widely in opinion on Church matters, but in political affairs he was my staunch supporter. He went so far as to write an election song which was sung at my meetings in 1886. The leader of the High Church laity was Mr. John Shelly, a lawyer of high character who had been Mayor of Plymouth, a man of wealth and influence and a devoted Churchman. He and most of the High Churchmen belonged to the Liberal party; but a few, and they not unimportant in the then nicely balanced condition of political parties in the town, were among my Conservative supporters. In the early part of 1884 I received a letter

[1] *Hansard*, vol. cclxxxv, p. 398.

signed by a number of my constituents urging me to vote against the Deceased Wife's Sister Bill, or at all events to refrain from voting or speaking in its favour. I at once replied that my conduct in Parliament must be guided entirely by my own convictions, and I prepared, and on May 6th, 1884, delivered, a speech in support of the Bill, which is reprinted in my *Selected Speeches*,[1] and is the fullest expression of the opinions on this subject which have been sustained by the thought and experience of the many years which have passed since.

I have given a large and perhaps a disproportionate space to the record of my political work during the years 1882 to 1884, but these years were in some respects the most important years of my life. In a former chapter I have spoken of my good fortune in coming into the House of Commons just at the time when my leaders were ejected from office and were specially inclined to favour a new recruit who was likely to be of service in debate. This advantage I did not throw away. I carefully chose my opportunities of speaking, and never spoke at great length. I was always willing to oblige the Whips by going to speak at contested elections or at political meetings in or not far from London, and I think that during my time of active political work I must have made as many speeches on public platforms as any member of the party. At the end of this volume I will give a list of places outside London at which I have made political speeches, and it will represent a good deal of activity. Of course I have no record of the multitudinous speeches made in the London constituencies. But I never allowed the Whips to have anything to do with my speaking in the House itself. The great danger of a young member, anxious to oblige them and to distinguish himself, is the being induced to speak—just to keep the debate going—when he has not prepared a speech. Then he always fails, and the House soon ceases to take an interest in him.

This is the mistake which, as in the case of my brilliant

[1] *Selected Speeches*, p. 62.

friend Frank Lockwood, entirely disappoints so many reasonable expectations of success in the House of Commons.

I did not speak often, and never without preparation, and prepared many more speeches than I had the opportunity of delivering. The material was not wasted, for I had plenty of public meetings at which it could be used. So by the end of 1884 I had done a great deal of work for my party in and out of the House ; my leaders honoured me with their confidence and friendship ; and I believe I was not unpopular with members of either of the three political parties.

Meanwhile my position at the Bar was steadily advancing. It appeared likely that I should be able to take a not inconspicuous part in the political crisis which all believed would be reached in the summer of 1885.

CHAPTER XX

AN UNEXPECTED CHECK: 1885

In the short legal holiday at the end of 1884 my wife and I went to Belgium for a fortnight to enjoy pictures and churches at Antwerp and Ghent and Bruges. She paid very dearly for the enjoyment, for an abominably insanitary hotel at Antwerp sowed the seeds of typhoid fever, and a few weeks later she had a very dangerous illness.

Returning home on January 9th, I had a pleasant surprise in finding a letter awaiting me from the solicitor to the Conservative party in Manchester, saying that in case I did not intend to contest Plymouth at the next election they desired to put a safe seat for one of the divisions of that city at my disposal. The idea of leaving Plymouth had never entered my mind; but seeing that I had been elected by a small majority, that the constituency had now more than doubled in number, that Sir Edward Bates, through whose disqualification I had obtained the seat, was now coming forward again, and that Macliver, my Liberal colleague, had shown himself a very diligent and useful member, I dare say my prospect of re-election did not look so hopeful to others as it did to myself.

I at once wrote gratefully acknowledging the honour done me by the offer, but adding:

I am pledged to stand for Plymouth, where I have every reason to believe my seat is perfectly safe, and where I received in 1880 the most generous welcome. I cannot therefore accept your kind invitation, but I shall always be proud to have received it, and shall feel that the Conserva-

tives of Manchester have by this offer created an abiding claim upon my services in or out of the House of Commons.

My suggestion in the second memorandum to Lord Salisbury, that the difficulties of the Government with regard to Ireland and Egypt were not at their worst, was soon justified.

On January 24th there were serious explosions of dynamite at the Tower of London, in the House of Commons, and in Westminster Hall. And more important than the incident itself was the fact that Mr. Parnell, speaking almost immediately afterwards, did not say a word in deprecation of these methods of political agitation.

Then on February 5th came the news of General Gordon's death at Khartoum. Mr. Gladstone saw at once that this would probably bring about the fall of the Government, and there were anxious and perplexed discussions in the Cabinet. Parliament had been adjourned from December 6th to February 19th, and in the angry excitement of the public mind the result of the vote of censure which would certainly be moved as soon as the House of Commons assembled was very doubtful.

It was at that critical moment that Lord Rosebery, with fine courage and patriotism, became a member of a Cabinet which already appeared to be tottering to its fall. His adhesion was of value to the Prime Minister for the influence which he had with the moderate section of the Liberal party, rather than for the value of any advice he could give upon the difficulties at home and abroad, with the details of which he was not completely acquainted. And it did not prove to be an unmixed advantage. Three months later he joined the other peers in the Cabinet in rejecting the proposal of a central body in Ireland for the control of municipal administration—a decision which at once upset the Government and turned the Home Rule movement into more dangerous channels.

The expected vote of censure was moved by Sir Stafford Northcote on February 23rd. I happened to notice that it was the anniversary of an important event in Mr. Glad-

stone's life. On February 23rd, 1855, speaking from the ex-minister's place below the gangway, he had explained to a perplexed House of Commons why he had left Lord Palmerston's ministry, which he had only joined about a fortnight earlier. The coincidence was a useful debating topic, and I prepared myself for speaking if I found an opportunity. I rose two or three times on the second and third nights of the debate, but was not called upon. On the fourth and last night the same thing happened, so I went to the Speaker and asked if he thought he could give me an opportunity for a short speech. Mr. Labouchere had just risen and was speaking on the Liberal side. The Speaker (Mr. Peel) said he was very sorry he had not been able to call me, and that now it was difficult, for he had promised Mr. Forster to call him as soon as he could after 10 o'clock, and Labouchere would probably speak till then. I said my speech would be very short, only about seven or eight minutes. "Oh," said he, "that makes all the difference. I shall be very glad to have a speech from the Opposition benches if I am sure it will be short." So when Labouchere sat down I was called upon. It was a fine opportunity, for the House was rapidly filling, and there was much excitement at the prospect of a close division. The speech was a success. Its brevity was recognised as an excellent quality, and perhaps it had some others.

There is one passage I think it worth while to quote. Mr. John Morley had moved the following amendment:

That the House, while refraining from expressing an opinion on the policy pursued by Her Majesty's Government in respect of the affairs of Egypt and the Soudan, regrets the decision of Her Majesty's Government to employ the forces of the Crown for the overthrow of the power of the Mahdi.

My comment on this was:

As to the amendment of the Member for Newcastle, it is a sham amendment. He knows perfectly well the sort of people among whom he is sitting. He knows they have not

the courage for a real rebellion, so he proposes an amendment in which he says, "We will refrain from expressing an opinion on the conduct of Her Majesty's Government." Why does he refrain from expressing that opinion, if he can express an opinion in favour of the Government? Sir, if he thought there were fifty members of this House who would support him in that opinion, he would be delighted to recognise those public and private ties of which he spoke so feelingly on Monday last. It may be that he does not himself approve of the conduct of the Government; but if he does not approve it, why does he not say so? Because he knows the sort of party by whom he is surrounded. The fact is, this is a sham amendment. It is said, and I believe with some truth, that the intention of some members of the Radical section is to vote for this amendment, which they are quite sure will be defeated, and then to vote for the Government against the resolution of the right honourable baronet—one vote for their consciences, which they take care shall have no effect, and one for their party; so that they will secure the continuance in power of a Government which, so far as we know, is committed to a course of wanton and objectless bloodshed; and having by their votes made it possible that this course should be pursued, they can go down to their country constituents proudly claiming to be the friends of peace and freedom, and appeal for their justification to the division list which records their votes on this futile amendment.[1]

This was exactly what took place.

There were nearly 600 members in the divisions. Mr. Morley's amendment was negatived by 450 to 112. Sir Stafford Northcote's motion was rejected by the slender majority of 14 (302–288), Mr. Forster and Mr. Goschen voting against the Government.

For a few days it was uncertain whether the Government would resign. There had been an understanding in the Cabinet that resignation would follow if their majority did not exceed fifteen, but Mr. Gladstone was resolute to continue the struggle, and his will prevailed. For three months he fought on with splendid courage and resourcefulness.

[1] *Selected Speeches*, p. 128.

Difficulties were daily increasing. A war with Russia was at the last moment averted. On almost all political questions his colleagues were sharply divided, and it taxed all his skill to prevent the resignations which were daily threatened. But the end came as soon as Ministers had to decide upon their Irish policy. The question of the renewal of the Coercion Act had to be dealt with at once, and was their most pressing difficulty.

I was in my place in the House on the occasion when Mr. Gladstone gave notice that the Government proposed to continue various provisions of the Crimes Act which they deemed to be valuable and equitable. I saw Mr. John Morley at once leave the House, and in a few minutes he returned and read from a written notice that if proposals were made for the renewal of exceptional law he would move their rejection.

This notice was the death-warrant of the Government. Extraordinary efforts were made by Mr. Gladstone to secure agreement in the Cabinet upon Irish policy, but they failed. The end came somewhat unexpectedly on June 8th. An amendment to the Budget condemning the increase of duties on beer while wine was left untouched, and an increase of taxes on real property while no relief was given to rates, was moved on that evening by Sir Michael Hicks-Beach. The debate was rather dull, and there was no great excitement in the House. Mr. Gladstone, closing the debate, made a strangely vague and inconsecutive speech, which seemed quite needlessly prolonged, and was finished with singular abruptness. I was sitting just opposite to him on the second Opposition bench, and I noticed that the chief Government Whip, Lord Richard Grosvenor, came into the House and slipped into a seat close to him and said something to him. Thereupon Mr. Gladstone's manner suddenly changed, and he snapped out his closing sentence : " This is a question of life and death. As such we accept it, and as such we do not envy those who, if they gain the victory, will have to bear the consequences."

Then we went to the division, and as I joined Hardinge

Giffard and walked down the House I said, " We are going to beat them to-night."

" Oh no," said he ; " we know the numbers in the House, and there are not quite enough of us."

I told him what I had noticed, and that I felt sure that Lord Richard had told his chief that we should win.

" Then," said Giffard, " you and I will be in office together in a fortnight," and we went on to the Lobby.

When the paper was handed to our Whip there was a tremendous shout, sharply checked for the numbers to be heard. For the Government, 252 ; for the Opposition, 264. Then came the shouting again. Randolph Churchill jumped up on the seat and waved his hat in triumph. And the loudest cheering came from the Irish Nationalists. Mr. Gladstone amid the storm had taken a writing-pad on his knee, and was writing his letter to the Queen.

It was an arranged defeat. Lord Spencer had come over from Ireland that morning, and for nearly two hours that afternoon the Cabinet had been struggling in vain to find a solution of their difficulties. There were enough of their followers in the House to have given them a majority, but to some twenty-five of them a hint was given that they need not come back after dinner, and Lord Richard Grosvenor's whisper reported that a defeat had been secured.

The faithful Liberals who had assisted the Government to commit the happy dispatch were very scurvily treated. *The Pall Mall Gazette* printed a " black list " of sixty-one who were absent from the division, with such excuses as some of them chose to give, and *The Daily News* fell upon them furiously. It was only a few months later that a Liberal Whip (R. W. Duff), speaking at Banff, let out the true story.

The resignation of the Ministry was announced next day, but the Queen was at Balmoral ; personal interviews were necessary ; and Her Majesty determined to return to town, but did not arrive in London until June 17th. Meanwhile speculation had been busy with the question whether Lord Salisbury would accept office, and with the appointments

likely to be made if he should do so. As early as June 10th *The Daily Telegraph* mentioned me as the new Attorney-General, and the same forecast was given in *The Daily News* of the following day. The first announcement in *The Times* that a new Ministry had been formed appeared on the 18th, and gave the names of the Cabinet, and added, "It is rumoured with considerable confidence that Mr. Edward Clarke and Mr. Gorst will be the new Law Officers." The announcement of my appointment was repeated in *The Pall Mall Gazette* that evening. The next day a new name was introduced. On the 18th Sir Hardinge Giffard had returned his briefs, and Richard Webster had gone to Launceston to arrange his candidature for the seat thus to be vacated.

And on the 19th the Press Association circulated the statement that Webster was to be Attorney-General and Gorst Solicitor.

But for ten days longer the matter remained in doubt. Macnaghten expected, with good reason, that he would be Attorney-General. He was senior to both Webster and myself; he had a large practice and a safe seat. I did not know until many years later that he had been offered a judgeship by the Liberals and had refused it at the request of his party leaders.

While the legal appointments were still unsettled Giffard came to Macnaghten and asked him to accept the Home Secretaryship, promising him the reversion to the Chancellorship. But Macnaghten had many children, and he did not think the promise was quite certain of fulfilment, so he refused and remained in the House of Commons until in 1887 he was appointed a Lord of Appeal. His doubt was prudent; twenty years later Lord Halsbury was still the Lord Chancellor of a Unionist Government.

The uncertainty continued, and meanwhile the Plymouth Liberals had a crowded meeting at their club on the 20th to make preparation for a contest in the event of my appointment. My friends there were naturally uneasy, and pressed me for information. I had none to give, and

had no communication with our Whips or with any of our leaders. I believed I was entitled to office, but I did not mean to ask for it.

For another week no definite appointments were made, and in the complete list of the new Government which appeared in *The Times* and *The Pall Mall Gazette* on June 26th the names of Webster and Gorst were given as the Law Officers, but a note of interrogation was appended to each. On that day I wrote to Lord Salisbury, saying that Webster's appointment would be a public affront to all the Queen's Counsel on our side of the House of Commons, and that it would result in the disaffection of supporters of the Conservative cause now in the House, and it would be a severe blow to the interests of the party at the General Election.

By the same post I sent a copy of the letter to Webster. Lord Salisbury sent me a very friendly answer, defending his action and saying in its closing sentence:

I much regret that these considerations under the particular circumstances of the case have not allowed me to ask for your official aid as yet. But you have a long future before you, and under any political circumstances you cannot have long to wait.

My friendship with Webster did not moult a feather. He was a man of high and generous nature, and to the end of his life our close and intimate friendship remained undisturbed. I have reason to believe that Lord Salisbury persisted to the last in wishing to appoint me Solicitor-General. He wished Gorst to have departmental office, and the Under-Secretaryship of the Home Office was kept open for him. But Lord Randolph insisted on his having the more valuable appointment, and on June 29th *The Times* definitely announced that Webster and he were the Law Officers, and that evening *The Pall Mall Gazette* reported a new appointment—that of Mr. Stuart-Wortley as Under-Secretary for the Home Department.

I have dwelt upon these details, for this was the most important incident in my public life. For the first time

my junior was preferred before me. And there he always remained, blocking my way.

But for his action I should have been Attorney-General in 1897; but for him I believe I should have been Lord Chief Justice in 1900. Any feeling of soreness has long passed away. As I said in my farewell speech to the Bar, I have no reproaches and no regrets. My life has been too prosperous and too happy for them to be possible. But I saw at the time what the consequences might be, and I seriously resented what I felt to be a public affront.

Of course my personal disappointment could not affect my political allegiance. My admiration and regard for Lord Salisbury and my devotion to Tory principles were quite unimpaired, but my connection with the party organisation was severed at once. I resigned my seat on the Council of the National Union, on which I had served for eighteen years, and although the Council passed a resolution urging me to withdraw the resignation I refused to do so.

The most important consequence to me of that incident was that it seriously weakened my political position at Plymouth and my expectation of an easy victory at the General Election, which we knew would come in November.

If I had been appointed, I have no doubt that I should have been returned without a contest. The Liberals had no candidate; the time would have been too short to find and introduce a new one. Many in their own ranks would have thought it ungenerous to oppose me; and if a candidate had been ready he would have been reluctant to fight an unpromising contest at the end of June, with the certainty of having to fight again four or five months later.

But my exclusion from office was made use of by my opponents and disappointed and disturbed my supporters. The idea was put about that either my seat was known to be very unsafe (and a doubt was suggested by *The Daily News*) or that there was something against me which disinclined my leaders to give me office. And when I went to Plymouth I found a perceptible lessening of confidence among my best friends.

The stop-gap Ministry stumbled through the rest of the session, and in October Parliament was dissolved.

My retirement from the National Union did not lessen my platform activity, and during the month of October I was very busy in the west of England. Beginning with the meeting of the Plymouth Conservative Association on October 7th, I spoke in that month at Liskeard, Penzance (twice), Plympton, Torquay, and St. Austell, and during the Plymouth election I found time for meetings at Devonport and Ivybridge, and for a Tavistock Division meeting at Plymouth.

Our own contest began with the issue of election addresses by Sir Edward Bates and myself. My old friend Edward Pinches went down with me as our election agent, and but for his ability and tact and absolute devotion to my interests the struggle might have ended in my defeat. As it was I could not help seeing that our opponents seemed to gain in confidence day by day, and in certain wards of the town our friends confessed themselves uneasy. The polling day, November 24th, was a day of very hard work and much anxiety. With some difficulty I persuaded Sir Edward Bates to adopt my practice and start driving about the town from one committee-room to another as soon as the poll was opened at 8 o'clock, and this we continued until four in the afternoon. Then he was tired and had to rest. I was tired too, and my head was aching badly, but I set off on another round.

At each committee-room I examined the returns and had slips made out with the names of voters who had promised to support us and were not known to have voted, and pressing many friends into the service sent off each with one name, charging him not to rest until he had brought that voter to the poll.

This final effort arranged for, there was nothing more I could do, and I went back to my hotel for a few hours of quiet. The poll closed at eight, but there were 8,500 votes to be counted ; 250 ballot papers had to be submitted to the Mayor's decision, and an incident which occurred

during the counting caused Mr. Pinches to be very strictly observant. The ballot papers, when examined, were tied up in bundles of fifty, and he noticed one bundle lying on a form by one of the Liberal counters. It was a bundle of votes given for me, but, whether by accident or design, a vote for another candidate was put at the top of the bundle, and the effect would have been to make a difference of a hundred in our respective numbers when the returning officer obtained the result by counting the bundles.

Just after midnight the poll was declared: Bates, 4,354; Clarke, 4,240; Macliver, 4,132; and Brett (afterwards the 2nd Viscount Esher), 3,968; and in returning thanks from the window of the Globe Hotel I was able to announce that at Devonport both Conservatives had been returned, and that Henry Northcote had been re-elected for Exeter.

It was a narrow victory, and the effort had been almost too much for me. My wife had been at Plymouth helping me throughout the contest, and the next morning she brought me back to London by an early train in very poor condition. We went at once to my old friend Sir Richard Quain, and he sent me down to Hastings, with directions like those which Sir William Jenner had given me in 1880. It was difficult to obey them for a few days, for Hastings was in election turmoil; the principal hotels were full, and at the Albion I was wakened from much needed sleep by the brass band and the shouting of Mr. Inderwick's supporters, who passed in procession beneath my bedroom window. Three weeks passed before my dear wife's affectionate care had brought me back to health and enabled me to resume my work in town, and to exchange condolences with my political friends on the defection of the counties, which destroyed the hopes excited by the successes of the first few days of the elections, and made it clear that the Conservative Ministry could not continue in office.

CHAPTER XXI

THE BARTLETT CASE : 1886

THE early months of 1886 were a time of violent political unrest. An amendment to the Address to the Crown placed Mr. Gladstone again in office ; but there was misunderstanding as to the terms on which the Radical leader entered the Cabinet. Lord Hartington would not join ; Sir Henry James refused the Woolsack ; and before the new Government was eight weeks old Mr. Chamberlain resigned, and it became almost certain that Lord Salisbury's forecast would be justified—that, short as his Government had been, this would be shorter still.

Unhappily for the country Mr. Gladstone's courage prevailed over his prudence, and on April 8th the first Home Rule Bill was introduced. I was at the House very little during that debate, which lasted for five nights, for I was busily preparing for the trial of a case which has always made me rejoice that I was not made Solicitor-General in 1885. Six months of the dignity and emolument of that office would have been dearly purchased if it had prevented me from defending Adelaide Bartlett ; and I had made up my mind that, contrary to the practice of those who had recently held legal office, I would not, while a law officer of the Crown, appear for the prisoner in a criminal case.

In the year 1875 Adelaide Blanche de la Tremouille, a girl of nineteen years of age, the unacknowledged daughter of an Englishman of good social position, was married at Croydon to Thomas Edwin Bartlett, a grocer in business at Dulwich, eleven years her senior.

It was a strange union. The girl had spent her youth at a French boarding school, from which she was brought to England to be married to a man whom she only saw once before the day of the wedding ; and it was arranged that the marriage should be only a form, that she should go to a convent school at Brussels for eighteen months to complete her education, and that she should then return to her husband, and be to him a companion and nothing more. They lived together on this footing for six years, and then at her desire—for her life was lonely, and she longed to have a child—the agreement was broken and she became pregnant. But the child was still-born, and the old relations were resumed. In 1885 Mr. Bartlett's business had prospered, and other shops had been bought, and they were residing in a private house at Wimbledon. There they made the acquaintance of a good-looking young Wesleyan minister, the Rev. George Dyson, who was put in charge of the chapel at Merton which they were in the habit of attending. It was not long before he made love to Mrs. Bartlett and found her entirely responsive. He mentioned their mutual affection to the husband, and, so far from meeting any objection, found him quite willing to permit and even to encourage the intimacy. His visits became more frequent ; he called her Adelaide and habitually kissed her in her husband's presence ; she visited him at his lodgings, and they used to go for walks together.

Mr. Bartlett gave her to him ; spoke of the time when, after his death, they would come together ; and in September altered the will he had made, which left his wife the enjoyment of his property so long as she did not marry again, by removing that restriction and appointing the prospective husband sole executor.

In December Mr. Bartlett was ill, and was told that the disease from which he suffered was making progress, and that necrosis of the jaw had set in.

On Sunday night, December 27th, Mrs. Bartlett went out with Mr. Dyson to post some letters, and during their walk gave him a sovereign and asked him to procure some

chloroform for her. The next day he went to three different chemists in Putney and Wimbledon, and obtained from each a bottle of pure chloroform, saying in each case that he had been down in the country at Poole, and had got some grease stains on his coat, which he wished to remove. He thus obtained three bottles, containing together about five ounces, and poured their contents into a large bottle. On the Tuesday afternoon he went to Claverton Street, Pimlico, where the Bartletts were then lodging. Mrs. Bartlett went for a walk with him on the Embankment, and in the course of the walk he gave her the chloroform. On the Thursday night, New Year's Eve, some coals were taken up to the Bartletts' bedroom, and Mrs. Bartlett told the servant she would not be wanted again. About four o'clock she aroused the household. Mr. Bartlett was dead. The doctor, who was promptly called, believed from the temperature of the body that he had been dead for three hours.

Mrs. Bartlett told the doctor that she went to sleep at the foot of her husband's bed in the easy chair in which of late she had been sleeping, and had her left arm round his feet, that she woke and heard him snoring, a peculiar kind of snore, and dropped asleep again. Later on she awoke and saw him lying on his face in an uncomfortable position. He was dead, and the body was already cold. No mention was then made of chloroform, and no bottle containing any was found in the room. Mrs. Bartlett wrote to Mr. Dyson that morning a letter which he subsequently destroyed, which he said asked him to come to see her on the following day, the Saturday. He came, and was in the house while the post-mortem examination was being made, and learned that the doctors had failed to discover the cause of death, and that the rooms were to be locked and sealed and handed over to the coroner. The next morning he went to preach at his chapel, and as he was crossing Wandsworth Common he threw away the bottles which had contained the chloroform he purchased. Mrs. Bartlett still had in her secret possession the larger bottle

which he had given to her, and four days later, when she was going by train from Victoria to Peckham Rye, she poured the chloroform on the rails and threw the bottle into a pond.

The trial began on Monday, April 12th, 1886, at the Central Criminal Court and lasted all the week. Sir Alfred Wills was the judge, and Sir Charles Russell, as Attorney-General, led for the prosecution, his juniors being Mr. Poland, Mr. R. S. Wright (afterwards Mr. Justice Wright), and Mr. Moloney.

The coroner's jury had found a verdict of wilful murder against both Mrs. Bartlett and Mr. Dyson, and they had both been committed for trial on that charge. I was retained to defend her, with Mr. Mead and Mr. Edward Beal for my juniors, and Frank Lockwood and Mr. (afterwards Sir) C. Mathews were Counsel for Dyson.

It was evident that, as in the Penge case, questions of medical science would be of supreme importance, so I postponed some cases and returned other briefs, and spent a week or ten days in studying at the British Museum or in my own library all that was known about the qualities and effects of chloroform and the methods of its administration.

During the week of the trial I read nothing but the papers in the case and the medical books. I drove down to the Old Bailey every morning, and when the Court rose in the afternoon drove straight back to Russell Square; then went for an hour's walk round the Regent's Park or up to Hampstead or Highgate; and then, after a light dinner, spent the evening in preparing the cross-examination or speech for the following day.

I cannot give space here for a full account of the trial. Soon after its close I published a full report, the medical evidence being carefully edited. Sir Charles Russell corrected the proofs of his speech, and Sir Alfred Wills those of his summing up, and I believe the volume to be the most complete report of an English murder trial, and to doctors as well as lawyers one of the most useful.[1]

[1] *The Trial of Adelaide Bartlett*, Stevens & Haynes.

It began with a remarkable incident. At the sitting of the Court on the Monday morning an application was made by the counsel for Dyson, and was supported by me, that the two prisoners should be tried separately, a course the propriety of which was at once admitted by the judge and the Attorney-General.

But Sir Charles Russell then made the unexpected announcement that the Crown did not intend to proceed with the charge against Dyson, but proposed to call him as a witness against Mrs. Bartlett. A verdict of "Not guilty" was then taken in his case, and he was released from custody.

The next day he appeared in the witness-box. He told in detail the history which I have just given in outline of his acquaintance with the Bartletts, and of the strange relations which had grown up between him and both of them. I need hardly say that the task of cross-examining him was one of the most delicate and difficult I ever had. Quite as important was the cross-examination of the five medical witnesses, chief among whom were Dr. Stevenson, who had been the principal scientific witness in the Penge case nine years before, and Dr. Meymott Tidy.

They were perhaps the greatest living authorities upon the qualities of chloroform and the methods and effect of its administration. I cross-examined Dr. Stevenson at great length, and at the end had made so much progress that I ventured to put to him this question:

Now, suppose you had to deal with a sleeping man, and it was your object to get down his throat, without his knowing it, a liquid the administration of which to the lips or throat would cause great pain, do you not agree it would be a very difficult or delicate operation?

A. I think it would be an operation which would often fail, and might often succeed.

Q. Would you look on it as a delicate operation?

A. I should look on it as a delicate operation because I should be afraid of pouring it down the windpipe.

Q. That is one of the dangers you contemplate?

A. Yes.

Q. If it got into the windpipe, there would be spasmodic action of the muscles, would there not ?

A. At the stage when you had come to the conclusion that you could do it, when there is insensibility or partial insensibility, the rejection of the liquid by the windpipe would be probably less active than when the patient was awake.

Q. If the patient got into such a state of insensibility as not to reject it, it would go down his windpipe and burn that ?

A. Probably some might go down his windpipe.

Q. It would probably do so ?

A. Probably.

Q. If it did so, it would leave its traces ?

A. I should expect to find traces after death unless the patient lived some hours.

Q. Of course a great many post-mortem appearances are changed if the patient lives some hours.

A. Yes.

Q. Not only by the chloroform disappearing, so to speak, but also other changes incidental to a post-mortem condition.

A. Yes.

Q. And if the post-mortem examination had been performed, as Mrs. Bartlett wished it to be, on the very day on which death took place, there would have been still better opportunity of determining the cause of death ?

A. Yes.

I have always thought that these questions and answers were the turning-point of the case.

I do not think any one who has not been through it himself can realise the mental strain of the last day of a trial for murder upon the counsel for the defence. As he listens to the reply for the Crown and to the judge's summing-up, he finds little comfort in the thought that he has done his best, and that the responsibility for the result lies not so much with him as with the judge and the jury. He hears the argument he has pressed most strongly answered in the reply, perhaps ignored or made light of in the summing-up, and he cannot help feeling that there may have been

some failure on his part of clearness or of force, and that an adverse verdict and the inevitable sentence may possibly be the consequence of that failure.

The week was to me one of very great strain. I made a point of being at my place in court every morning before the judge came in, so that when the fragile, pale little woman came up the prison stairs to take her place in the dock she should see in the crowded court at least one friendly face. One morning she sent me a pathetic little note:

MONSIEUR,—I am very grateful to you, although I do not look at you.

As the days went on public excitement grew; and on Saturday morning there were restless crowds in the Old Bailey, and the quiet tones of the judge were sometimes disturbed by the tumult outside.

On the Saturday I sat for five hours listening to Sir Charles Russell and Mr. Justice Wills, recognising the strength of the one and the scrupulous fairness of the other, yet quite unable to free my mind from the apprehension that the life of Adelaide Bartlett might be in the greater peril through some defect of mine. Then when the summing-up was over there were two hours of tense anxiety.

A little before 3 o'clock the jury went out to consider their verdict. An hour passed slowly. Then they came back; but not to give a verdict, but to ask a question which seemed almost trivial. They wanted to know what time the people of the house went to bed on the night that Mr. Bartlett died. The question was answered; and we were left to guess on which side of the balance of their judgement the answer would weigh. The crowded court rustled, and sighed, and talked in nervous and excited whispers for another hour, and then they came again, and the prisoner, deadly pale but strangely calm, was brought back to the dock to hear her fate.

But instead of giving a direct answer to the question,

"Do you find the prisoner, Adelaide Bartlett, guilty or not guilty?" the foreman reads from a paper:

We have considered the evidence, and, although we think grave suspicion is attached to the prisoner, we do not think there is sufficient evidence to show how or by whom the chloroform was administered.

"Then you say the prisoner is not guilty?"

"Not guilty."

Before these formal words were spoken the sound of cheering in the streets made it difficult to hear them, and then the cheering was taken up in court and for several minutes the angry remonstrance of the judge could not be heard.

For the first and the only time in my fifty years of advocacy the suspense, and emotion as I saw my client go from the dock to freedom, broke me down. I found myself sobbing; I dropped my head on the desk before me, and some minutes passed before I regained my self-control. Then came the hour of triumph. When I had unrobed and came down to the courtyard, I found the jury waiting at the foot of the steps to shake hands with me and to congratulate. When the gates were opened to let my brougham out, a cheering crowd came round me and ran beside it, shouting, up the Old Bailey and along Holborn, while the passers-by on foot, or on the omnibuses, took up the cry.

I went to the Lyceum that night to see Henry Irving and Ellen Terry in *Faust*, and I was cheered when I entered the theatre.

The results of a conspicuous success such as this do not show themselves in professional advancement only: my name had become more widely known than ever before, and I felt the assistance of this during all the political activities of this eventful year.

I was soon busy with platform work. An assurance had been given to Lord Hartington that, in the event of the rejection of the Home Rule Bill and a consequent appeal

to the constituencies, the leaders of the Tory party would use all their authority to secure the re-election of any Liberal member who voted against the Bill. I think I was one of the first persons authorised to declare that policy. Among the Liberal members in the West of England there were many whose party loyalty was given rather to Lord Hartington than to Mr. Gladstone, and a meeting was arranged at Plymouth for April 29th, when I urged the strict adherence to this pledge of support. I said :

So long as the question before the country is a clear and distinct issue of the maintenance or overthrow of the unimpaired authority of the Imperial Parliament, so long I will gladly go upon the platform to speak for any Liberal who has had the courage to imperil his whole political career by taking up a course of patriotic duty.[1]

In May came the decisive debate and division. In the debate I followed Henry Campbell-Bannerman. Its issue was uncertain until almost the last hour, but when the division was taken ninety-two Liberals voted with the Opposition, and the Bill was rejected by a majority of thirty.

The expected dissolution followed, and I of course became very busy. We had little trouble at Plymouth. The Radicals were determined to fight, but they had much difficulty in finding candidates, and eventually found a very poor pair—a respectable baronet from Somersetshire, and a Liverpool linen-draper who had become a barrister, not nearly so respectable. Both Mr. Parnell and Lord Hartington thought it worth while to come down and speak at Plymouth. We lost two or three hundred Roman Catholic votes, but this was far more than counterbalanced by the body of moderate Liberals who under the leadership of Mr. John Shelly obeyed Lord Hartington's directions, and came over to the Unionist camp.

We only had one election meeting at Plymouth, but I was busy every evening speaking in one of the neighbour-

[1] *Public Speeches*, 1880–90, p. 103.

ing constituencies, generally in support of a Liberal member who had voted with us and for whom we wanted to secure full Conservative support. Our own polling brought us a remarkable victory. The majority of 108 nine months before now became a majority of 882, and this time I headed my colleague by a few votes, and so became senior member for Plymouth. The numbers were: Clarke, 4,137; Bates, 4,133; Stephens, 3,255; and Strachey, 3,175.

I came at once to town, but as soon as the election turmoil was over went quietly back to my work in the Courts. I had taken for a few weeks a pleasant house at Staines, the vicarage of the then undivided parish; and when the sweeping Unionist victory brought Lord Salisbury back to office, and discussions began again as to appointments in the new Ministry, I carefully absented myself from the political clubs. But this time I was not passed over. Randolph Churchill was to be Chancellor of the Exchequer and to lead the House of Commons, and he said he would not do this if I were sitting behind him as a private member. So it was arranged that Gorst should take political office. I went down to Staines on the evening of August 2nd, and as I was walking to the vicarage my wife met me with a letter from Lord Salisbury.

20, Arlington Street,
August 2nd, 1886.

Dear Mr. Clarke,

Sir John Gorst has intimated his preference for a political career, and has accepted political office.

Under these circumstances I naturally turn to you in the hope that you will accept the office of Solicitor-General in the Government which I am forming. We shall be very glad of the assistance of your great parliamentary powers in the hard battle which lies before us.

Believe me,
Yours very truly,
Salisbury.

It was a satisfaction to me when I met Lord Randolph to hear him say, "Why, wherever have you been, Clarke? We did not know what had become of you."

I went down to Plymouth for re-election, and was returned unopposed. It was my sixth election in six years and a half, and the first which was uncontested.

The election was declared at 2 o'clock; I caught the train at eight minutes past, dressed in the railway carriage, and went straight to the Mansion House, where the Lord Mayor was that night entertaining the new Ministers. When I entered the Egyptian Hall, Lord Salisbury was speaking, and was interrupted by a burst of cheering. "What is it?" he asked of his neighbour. "Your new Solicitor."

A very pleasant incident came a little later which may fitly close this chapter. The Mayor of Plymouth, Mr. William Algar, was a Liberal, but he immediately suggested that all political parties should join in giving me a public dinner of congratulation on my appointment. The suggestion was very cordially accepted, and on October 19th 300 of the leading townsmen sat down to dinner in the fine Guildhall; my wife and a crowd of ladies looked down from the gallery; and my heart filled with pride and gratitude when I felt I had achieved one of the ambitions of my life, and that in securing the unstinted confidence of my political friends I had not forfeited the personal goodwill of my keenest opponents.

CHAPTER XXII

SOLICITOR-GENERAL: 1886–1890

I THINK I cannot do better than begin this chapter by quoting a few sentences from my speech at the dinner which I have just described.

Mr. Mayor, the office to which I have been appointed is not in itself an essentially political office. Its duties are very varied and are very important. The Law Officers have to advise the Government of the day upon the interpretation of treaties; they have to advise upon the Acts which regulate the powers and authority of municipal bodies and bodies of local government in this country. They are constantly consulted with regard to the rights of British subjects in foreign lands, and the rights of foreign subjects who come within our territories. In Parliament their action is not of a distinctly political kind. It is their duty to advise the Government of the day with regard to all measures which deal with the administration or the improvement of the law, and to take charge and conduct of these measures in the House of Commons. It is their duty to acquaint themselves with all the proposals that are made by private members in the House, and to advise the Government with regard to the effect of those Bills upon the law and as to their compatibility with the system of legislation and the policy which has been adopted. And I am very glad to believe that in Parliament my work will be but little connected with the controversies of political parties. Unfortunately, for years past, measures which involve no party questions at all have been lost and have gone to pieces on the shoals and quicksands of the difficulties of parliamentary life. There they remain—proposed sometimes by one party, sometimes by another, but never carried into effect; and it is my hope—as I

know it is the hope of my friend and colleague, the Attorney-General—that we may be able to rescue some of those proposals from the disasters which have befallen them, and to carry into effect some useful measures for the advantage of the country.

There is another duty which falls on the Solicitor-General, along with the Attorney-General. They are the leaders of the Bar.

It is a proud position, and it involves great responsibility. They have the right to assert for the Bar, and with all respect to defend and insist upon, the right of the Bar to fair and courteous audience on the part of the judges; and, on the other hand, it falls upon them, as one of their great duties, that they shall in their own conduct set an example to the Bar which they have the honour to lead —that they shall show by their own act and deed that it is possible, as I am sure it is, to combine the most zealous and industrious advocacy as an advocate at the Bar with the most scrupulous and delicate sense of honour that ever was felt by an English gentleman. Sir, these are great duties and great responsibilities, and I am glad indeed to be strengthened in undertaking them and in advancing on that work by the sympathy and support of the brilliant gathering of Plymouth men who are met now within this hall.

I should be untrue to myself, and I should be untrue to those who have trusted me and honour me to-night, if I did not look upon this appointment which I have received rather as a means of doing public service than as a mere gratification of individual ambition. Of course it is the gratification of ambition. No man could have worked as I have worked since I came to the Bar and not feel what I will not say is pardonable - for I will not think it needs to be pardoned—but will not feel a personal gratification in attaining to the position which has been given to me. But I hope and believe that I prize that position chiefly because it takes me away, as it were, from the mere working for myself, to a position which may give me the opportunity of doing something which may be valuable to my profession and valuable to my fellow-countrymen.

And if I were to neglect any opportunity of doing public service, I should be not only untrue to my own ideal and untrue to that opinion which you have formed of me, but

I should be most ungrateful to that Providence which has pursued my course since I was called to the Bar with unexpected and unlooked-for opportunities of success, which have not been given to others as worthy of such opportunities as I myself could possibly have been. It is in that spirit and with those hopes that I have accepted the office of Solicitor, and that I receive the kind and generous compliment which you pay to me to-night.

For six years—a longer period of office than any former Solicitor-General had enjoyed—I had to perform these varied duties ; and I have often wondered how my colleague and I were able to continue so long the heavy work which during those anxious years was thrown upon us. At that time the Law Officers were allowed to take private practice, but it was of course necessary for me to take some means of reducing this, which in my case had risen to £9,500 a year, in order to prevent its interference with official work. So I made a rule that in future I would not take any brief with a smaller fee than one hundred guineas, which might be, if the client desired, a brief fee of fifty and a special fee of the same amount.

This rule saved so much trouble that when I left office I still continued it, so that for twenty-eight out of my fifty years at the Bar my minimum fee was one hundred guineas. My average income for the six years was £17,500, of which £6,000 was the official salary, while the fees for Government cases averaged about £3,000.

My relations with my legal colleague were very pleasant. Webster was a man of extraordinary industry ; his patience and courtesy never failed, and his business-like methods lightened the burden of our very heavy work.

Our private practice was never allowed to interfere with our work as Law Officers, and for regulating that work he established a practical and satisfactory system. No Law Officers' Department then existed, but a very capable clerk, who afterwards became the Chief Permanent Clerk of that Department, was engaged, and his salary was paid in equal shares by my colleague and myself. He kept a register of

all the papers sent to the Law Officers for their opinion in non-contentious cases, which amounted to several hundreds in the course of the year. The papers being received and the date registered, they were sent alternately to the Attorney and the Solicitor. When the opinion was written, it was sent to Mr. Abbs, and he, noting the date of return, passed it on to the other Law Officer. If he concurred in the opinion he added his signature, and it passed again through the hands of Mr. Abbs to the proper department, the date of its delivery being duly registered. If the matter required discussion we met at the Attorney-General's room at the Law Courts or the House of Commons. I have no record by me, but I think there were scarcely any cases during our six years of office in which, however important the question, the papers remained in our hands for more than a fortnight. It is interesting to remember that the case upon which we spent more time than upon any other was a proposal by the German Government to establish in foreign countries consular protectorates, and to give to the tribunal of the protectorate jurisdiction over persons of whatever nationality residing in the area of the Consulate. The proposal was of course rejected by the English Government.

I think that during our time of office there was hardly a single case on which, after discussion, we were not able to write a joint opinion ; and as far as I remember the only question on which we found it impossible to agree was whether the expression " the coloured races " did or did not include the Japanese. I held that it did.

Our first official consultation was an interesting one : it concerned the case of Sir Charles Dilke.

At the first hearing of the Crawford divorce case Sir Charles, the co-respondent, either because he and his counsel, Sir Charles Russell, knew that the charge against him was true, or in consequence of bad advice from Sir Henry James and Mr. Chamberlain, did not tender himself as a witness. And because there was no sufficient corroboration of the confession of Mrs. Crawford, the strange result

was that the jury found that she had committed adultery with Sir Charles Dilke and that he had not committed adultery with her. To the public mind the fact that Sir Charles did not deny the charge appeared to be an admission of its truth. The immediate consequences to him, political and social, were exactly the same as if he had given evidence and not been believed. His advisers, curiously enough, did not seem to have foreseen this, and, Russell having become Attorney-General, an attempt was made to rehabilitate Sir Charles Dilke by an intervention of the Queen's Proctor, alleging that the verdict was contrary to the justice of the case, and that it was obtained by the suppression of material facts. Of this second allegation there was very little evidence. At the second trial Sir Charles Dilke was the first witness called, and he gave an entire denial to the charge of adultery, but after listening to witnesses on both sides for several days the jury without hesitation found that the previous verdict was not contrary to the justice of the case. Then it was suggested that Sir Charles Dilke should be indicted for perjury. At such a trial he could not give evidence, and so would be saved from cross-examination, while the fact that he had already denied the charge against him on oath would be strongly pressed in his favour, and indeed was the very foundation of the criminal proceedings, and the jury would be told to give him the benefit of any reasonable doubt. It was very unlikely that a jury would agree to convict.

Sir Charles Dilke had written to Webster, and this was the first case on which we consulted. Of course we refused to go on with a sham prosecution instituted with the desire and intention that it should fail.

Our early years of office were very laborious. The parliamentary session of 1887 was the longest continuous session that had been known for fifty years. There were 130 evening sittings, and the House sat 280 hours after midnight, so that the average time of rising during the whole session was about a quarter past two in the morning.

These late hours were more trying to Webster than to me, for our habits of work had been different. He had been used to go to bed quite early, to rise at five or six, to make his coffee and go to work, and spend a couple of hours with his papers before going out for his morning exercise. My habit, on the other hand, was never to go to bed until I was absolutely ready for the work to be done in court on the following day. I have often stayed up working until three or four in the morning, and then slept until the last moment which made it possible for me to be punctual at consultation or in court. I used to find that the facts and arguments I had been considering at night arranged themselves in the mind in the hours of sleep.

The nearest approach I had to a personal difference with Webster during our six years of office was when he appointed a consultation for half-past eight in the morning and I flatly refused to attend it.

The years from 1886 to 1892 were singularly free from foreign troubles. But I remember three occasions on each of which there was a short period of acute anxiety. One day a message came from the admiral commanding on the Pacific station, saying that he had news that an English fishing vessel had been seized for some alleged violation of treaty rights by an American ship of war, and that he was starting to endeavour to intercept the vessels, resolved to free the captured vessel by force if necessary. Another time a fugitive accused of crime had taken shelter in the house of our consul at Tunis, and the French authorities demanded his surrender and threatened to take him by force. On the third occasion a war with Portugal was still more narrowly averted. I do not recollect the exact reason of the quarrel. There had been difficulties about certain oyster fisheries, and I remember the papers being sent to the Law Officers for advice. On one paper was endorsed in red in Lord Salisbury's very clear handwriting :

We may have to go to war with Portugal, but it will not be about oyster-shells. S.

But whatever the cause we came to the very verge of war. Arrangements were made by which in a few days all the colonial possessions of Portugal would have been seized. Admiral Fremantle was in command on the coast of East Africa. Ships were summoned from other stations to meet him, and he was instructed that at a certain date his force should be assembled and the orders issued for immediate action.

It was only on the very morning of the appointed day that he received a message that Portugal had given way. The relations between the two countries were for some years strained and formal, and it was not until 1893, when Sir James Fergusson was sent on a friendly visit to Lisbon, that the customary presence of a British ship in the Tagus was resumed.

Before the Government had been six months in office an event happened which for a few weeks made it seem very likely that we should prove to be what our opponents had tauntingly called us—a mere "Ministry of caretakers." Lord Randolph Churchill, who during the short autumn session of 1886 had led the House of Commons with remarkable and quite unexpected tact and dignity, was not content with having ousted Sir Stafford Northcote from the leadership of the House. There were yet two powerful members of "the old gang" (to use his own phrase, which has often proved useful since) to be got rid of—Mr. Smith and Lord George Hamilton—and his sudden resignation two days before Christmas compelled Lord Salisbury to take immediate choice between his powerful new lieutenant and two of his most faithful and experienced colleagues. The Prime Minister did not hesitate. He gave no room for discussion, and simply accepted the resignation.

For a time it looked as if the Government must fall. Lord Salisbury evidently thought it in extreme danger, for he made the strange offer to Lord Hartington to make way for him and serve in a Cabinet of which Lord Hartington should be the head.

The offer cannot have been made with any expectation,

certainly not with any desire, that it should be accepted. There had been sharper personal conflict between Mr. Chamberlain and Lord Hartington than between either of them and their former chief; it was the clash of their irreconcilable opinions that had broken up the Liberal Government in 1885; and if Lord Hartington, with Lord Northbrook and Lord Lansdowne, who were included in the invitation, had become leading members of the Ministry, Mr. Chamberlain and all that strong body of Radical opinion which he represented would at once have found a way of returning to the fold they had quitted. How great the danger was very quickly appeared.

On the very day that Lord Randolph's resignation was announced Mr. Chamberlain made overtures for reunion, which were promptly accepted, and a little later Mr. Chamberlain and Sir William Harcourt, Mr. George Trevelyan and Mr. Morley, met at the Round Table Conference. Chamberlain submitted to them his plan of National Councils at Dublin and Belfast, or preferably one Council at Dublin, with large powers of administration and certain limited powers of legislation, subject to the approval, tacit or expressed, of the English Parliament.

The reason that conference failed was the subject of voluminous and quite unintelligible explanations by everybody concerned. Whether the effective cause was a violent article in *The Baptist* by Mr. Chamberlain, or a refusal by Mr. Gladstone to sanction the continuance of the discussion, will never be known—probably both contributed to the very definite result, which was an absolute and final abandonment of every attempt at reconciliation. From that time to the end of the Parliament more than five years later, although the Whig and Radical leaders never ceased to display on public platforms their differences with regard to English politics, the whole body of their followers were the loyal and steady supporters of the Ministry in its firm enforcement of resolute government in Ireland.

And for several years Ireland occupied practically the whole time of Parliament. It was not without some strange

departures from the customary practice of the House of Commons that after long struggle the Government succeeded in passing a Crimes Bill of exceptional stringency. They were helped by the behaviour, always violent and sometimes disreputable, of the Nationalist members, which outraged the opinion of the country and irritated the patience of the House.

In these Irish debates Webster and I took an active share.

I think that the day on which I rendered my greatest service to the Conservative party, excepting perhaps my speech on the second Home Rule Bill in 1893, was May 4th, 1887.

Two months earlier *The Times* had commenced the publication of a series of articles on "Parnellism and Crime," which were intended to show that Parnell and his associates were directly responsible for the murder and outrage which had made it impossible to govern Ireland by any ordinary law. For a time no specific charge was made against the Irish leader; but on April 18th, the day of the division on the second reading of the Crimes Bill, there appeared in *The Times* what purported to be a facsimile of a letter written by Parnell in 1882, in which he made a sort of apology for having condemned the Phœnix Park murders, and said that, while he regretted that Lord Frederick Cavendish had been accidentally killed, he admitted that Burke got no more than his deserts.

Parnell spoke that night just before the end of the debate and declared the letter to be a fabrication. But the strange way in which he dealt with it made most of his hearers believe that directly or indirectly he was responsible for the document. He drew a sharp distinction between the letter which was on the first page of the notepaper, and which was not suggested to be in his handwriting, and the few words, "Yours very truly, Charles S. Parnell," which were at the top of the fourth page, and which were alleged to have been written by him. As to these few words he said the signature was unlike his, and curiously

enough pointed to its free and flowing character as evidence that it was a forgery. As to the letter he said, "I certainly never heard of the letter. I never directed such a letter to be written. I never saw such a letter before I saw it in *The Times*." He said, "When I heard of the letter I supposed that some autograph of mine had fallen into the hands of some person for whom it had not been intended, and that it had been made use of in this way. I supposed that some blank sheet containing my signature, such as many members who are asked for their signatures frequently send—I supposed that such a blank sheet had fallen into hands for which it had not been intended, and that it had been misused in this fashion, or that something of this kind had happened."

The House sat amazed. The Irish member (Mr. Harrington) who had called Parnell's attention to the matter was nearly right in thinking that if that was the way his leader was going to deal with the matter in the House there was not an Englishman who would not believe that he wrote the letter.[1] I remember the remarkable scene, the strained silence while this curious speech was made; and I know the almost universal belief was that he had suggested the true explanation, and that a genuine signature had, with or without his knowledge and consent, been used for the purpose of giving authority to the letter.

This belief deepened as time went on, and the Irish leader took no step to vindicate himself. He brought no action, he instituted no prosecution, he made no claim in the House for an investigation by which his character might be cleared. It is only fair to him that it should be remembered that his inaction was in great measure due to the urgent and persistent advice of Mr. Morley and Sir Charles Russell and a third member of the House of Commons, with whom he took counsel. But, by whomsoever prompted, his conduct was generally taken as confirming the opinion which had been suggested by his speech in the House of Commons, and it was not until fifteen months

[1] *Life of Charles Stewart Parnell*, O'Brien, ch. ii, p. 199.

afterwards, in circumstances hereafter to be noted, that the question of his responsibility for this letter was reopened.

But a fortnight later, through the indiscretion of one of its own supporters, the Government was suddenly brought into a position of difficulty, and even of some danger. There sat in the House Sir Charles Lewis, a dull, well-meaning old solicitor, one of the steady, silent voters dear to parliamentary whips, one of the last men from whom any inconvenient independent action could be feared. A couple of months earlier he, for long service rendered to the party in electioneering matters, had been made a baronet, and the hereditary dignity probably disturbed his judgement, for on May 2nd, seeing in an article of *The Times* a statement that Mr. Dillon, speaking in the House of Commons, had untruly charged *The Times* with falsehood, he resolved to bring the matter before the House by charging the editor of *The Times* with a breach of privilege.

He wrote to the Speaker, intimating his intention. He wrote also to the Leader of the House, and Mr. Smith at once wrote back, begging him to do nothing of the kind. But it was too late. He had written at the same time to Mr. Dillon. So on Tuesday, May 3rd, at the beginning of the sitting, as a matter of privilege and without public notice, he called attention to *The Times* article and asked that it be read by the clerk at the table. This was done, and the next step, if the House agreed that a breach of privilege had been committed, would be to order the printer of *The Times*, the article being anonymous, to attend at the Bar of the House to receive sentence. The position was embarrassing.

Our supporters were not present in full strength ; it was from an old member on our own side that the proposal came, and the result of a division was not quite certain.

Mr. Smith moved the adjournment of the discussion until the Thursday. This Gladstone violently resisted, and a majority of 39 in favour of an adjournment was only secured by agreeing that the debate should be continued the next afternoon.

I had spoken after Mr. Gladstone in this debate on the adjournment. Webster and I advised the Government that the article did not constitute a breach of privilege, and I was commissioned to propose an amendment in that sense when the debate was resumed at noon the following day. The House did not rise until after two in the morning, and from 5 o'clock until then I was at work in the Library, examining precedents and previous debates. Before I left the House I finished my preparation, but I did not get much time for sleep that night, as I had a good deal of work to do after I got home, having next morning to open a heavy case of alleged fraud in the promotion of a public company, which took Mr. Justice Grove and a special jury six days to try.

I opened my case and hurried down to the House. It was a little before noon when I got there, and as I went in I met Mr. Akers-Douglas. Said he, "The Ministers are at Smith's room; I think they mean to give way." I asked to be allowed to go in, and I was admitted, and Mr. Smith told me they had decided not to resist the motion and to consent to the appointment of a Select Committee. I said that of course I had no right to give an opinion, but I hoped they would let me say a word or two before they finally decided. I do not remember all the Ministers who were present, but certainly Mr. Goschen, Lord George Hamilton, and Lord John Manners were among them. They invited me to speak, and I said a good many words in a very short time. I pointed out what would inevitably happen: that the first witness called would be the editor of *The Times*; that he would be called upon to state the names of his contributors and his informants; that questions would be asked which he certainly would refuse to answer; that every such refusal and every controversy arising in the Committee would at once be brought up in the House and be discussed as a matter of privilege. I urged that no unanimous report could ever be expected, and that the whole work of the session would be broken up. To my great delight they gave way, revoked their

decision, and sent me into the House to move the amendment, which was eventually carried by 317 to 233.

A curious little incident occurred after I went into the House.

Lord Randolph Churchill used to sit at the end of the second bench above the gangway, and Ministers were nervously anxious not to offend him, so they showed him the terms of my amendment, which declared that the article in *The Times* was not a breach of privilege. He said he would not support it in that form, so it was altered at the very moment I rose to speak into a statement that the House declined to treat it as a breach of privilege.

The House rose at 6 o'clock, and an hour later I was at Willis's Rooms at the dinner of the Royal Literary Fund, where Lord Lytton was presiding, and there I proposed the toast of the Literature of the United Kingdom, to which Professor Mahaffy responded.

So, taking all things together, a good deal of work was crowded into about thirty hours. And I feel quite certain now that, if that proposal for a Select Committee had been carried out, the Ministry would not have survived the session.

In my speech, with of course specific instructions from Ministers to do so, I repeated an offer made by the leader of the House—that if Mr. Dillon would move for a prosecution of *The Times* for libel to be instituted that motion should be accepted, and, although the Attorney-General must nominally be associated with the prosecution, the whole conduct of the proceedings should be left to such persons as he might nominate, the counsel who would appear in court and the solicitors who would prepare the case for trial.

The refusal of this offer deepened the general conviction that Parnell and his associates had good reason for dreading any public investigation.

With this debate and division any anxiety as to the continuance of the Government passed away, and it became clear that but for some unexpected accident they would

remain in office until the end of that Parliament. By the end of June the Crimes Bill had passed through the House of Commons, and Mr. Balfour had in his hand the power which he firmly and courageously used, and which at once began to take effect in restoring peace and order to the sorely disturbed parts of Ireland.

A month or two later an Act was passed for amending, and in some respects extending, the Act of 1881, especially by the admission of leaseholders to its benefits, and by provision for the reopening and revision of judicial rents. It could not be denied that this was the acceptance of a policy which the Tory party had always opposed, and that some of the proposals had been only a few weeks before violently denounced by the Prime Minister and the Chief Secretary. But their adoption was necessary for two reasons. One was the extreme poverty, almost amounting to famine, of large numbers of the small tenants in Ireland. The other was that Lord Hartington and Mr. Chamberlain and their followers had been responsible for the Act, which had now been in force for seven years, and could have no excuse for not pressing for its extension and amendment.

When I spoke at Plymouth on January 3rd, 1888, I was able to say :

> I am glad to know that order is being restored in Ireland, that crime in that country is diminishing, that the distresses of the people are being relieved, and that industry and capital are gaining a little more confidence now that they feel that there is a resolute protection behind them in the people of this country.

Next year's session of Parliament was far more peaceful. Two valuable measures—an Employers' Liability Bill and a Bill for permitting accused persons to give evidence in their own behalf—could not be passed, although valuable time had been spent upon them : the foolish rules of the House caused that time to be wholly thrown away. But a Railway and Canal Traffic Bill of great usefulness was passed ; and, much more important still, a system of Local

Government was established for England which has amply fulfilled the hopes of its framers.

Parnell had advised his followers not to obstruct English legislation, expressing his belief that when this came to be dealt with differences would arise which would tend to dissolve the alliance with the Liberal Unionists which gave the Government so strong a majority. There were indeed some difficulties with regard to the licensing clauses of the Local Government Bill, and those clauses had unfortunately to be abandoned; but nothing serious happened, and in July the old question of Parnell's responsibility for the letter which had caused so much excitement a year before came back upon the House of Commons.

Before I pass to that subject I should like to refer to the only occasion on which I gave a vote in the House of Commons which was directly in conflict with my own settled conviction. I had always been a supporter of the project of a Channel Tunnel. On one or two occasions I had, with my leader's consent, absented myself from the House when a division was taken. But in 1888 Mr. Gladstone, who had hitherto opposed the scheme, declared himself a convert, and on June 27th vehemently supported a Bill authorising its construction which was introduced by Sir Edward Watkin. The Government opposed it, and Mr. Smith, who was rather nervous about the result of the division, said that now the leader of the Opposition had made it a party question he must call upon me to vote with my colleagues. In later years the country had great reason to deplore the decision at which the House then arrived.

There is another bit of work of mine at this time which I should not like to leave without mention, for I hope the time is at last coming when it may be found helpful in a great and useful reform. I have long felt that the separation of the legal profession into two separate branches is a real public mischief. I think it was a conversation with Judah P. Benjamin, the great American lawyer who came to the English Bar after the defeat of the Southern Con-

federacy, that first convinced me of this. And my view was strengthened by the concurrence of Baron Bramwell, one of the finest judges I have ever known, and a man of singularly clear and independent judgement. I had accepted the presidency of the Birmingham Law Students' Society, and on January 18th, 1888, I made "The Future of the Legal Profession" the subject of my presidential address. I then expressed the opinions which all my experience since has strongly confirmed, and I hope the long-delayed reform may yet be helped by the very careful statement which I then made. I was amused on my return to town to get a letter from Mr. Smith, nervous as usual, asking me to make it clear that I spoke for myself, and not as representing the Government.

In the early part of this year an action for libel, mysterious in its origin and its objects, was brought against *The Times* newspaper. The plaintiff was Mr. Frank Hugh O'Donnell, an Irishman of good family and much ability, who had been a conspicuous supporter of Mr. Isaac Butt, and was for a time a trusted follower and associate of Parnell. This relationship had ceased in 1883, and in 1885 he retired from Parliament.

He had been once or twice mentioned in the articles on Parnellism and Crime, but not in terms which could reasonably be construed as suggesting that he had been guilty of any wrong-doing.

He wrote to *The Times* correcting a statement which one of their correspondents had made, and *The Times* commented on his letter as being the correction of an immaterial statement, while other statements which were definite and important remained unchallenged. Thereupon he brought an action. But he was only the nominal plaintiff. As he himself has since stated, "Parnell presided over the whole direction of the case."[1] It was Parnell who "instructed" the solicitor to obtain discovery of documents, and discussed the employment of Frank Lockwood to lead in the case and the payment of his fees out of the Land League

[1] O'Donnell, *History of the Irish Parliamentary Party*, ch. ii, p. 239.

funds. He went with the plaintiff's solicitor to the office of Mr. Soames, the solicitor to *The Times*, to inspect the documents which had been set out in the defendant's affidavit; and there in the most important letter of all they noticed the two mistakes of spelling, "inexcuseable" and "hesitency," which put them on the track of the forger, and were used by Sir Charles Russell with such deadly effect when he came to cross-examine Pigott before the Special Commission. It was not worth while then to spend Land League money in briefing Lockwood, and a very able junior, Mr. Ruegg, was entrusted with the case. A few days before it came on Sir Charles Russell sent for him and urged him on no account to put O'Donnell into the witness-box until the case for *The Times* had been stated and its evidence given. It had previously been arranged with the solicitor that Parnell was not to be called as a witness except in the utmost extremity, as he did not wish to be cross-examined. It may be that he was reluctant to appear as a witness because he knew of incriminating matters which *The Times* had not found out, and feared that his evidence might give the clue to their discovery, and this was the explanation then current; but it must now be remembered that he was at this time living with Mrs. O'Shea at Brighton, and although this was pretty generally known he might well wish to avoid the risk of their relations becoming the subject of public discussion.

The course of the trial before Lord Coleridge on July 3rd, 4th, and 6th, 1888, was as strange as the inception and conduct of the action had been. Mr. Ruegg, who on Sir Charles Russell's advice had determined not to call the plaintiff until *The Times* case was closed, inadvertently said that he intended to call him in any event. Lord Coleridge, who was trying the case, then pointed out that he ought to call him at once, as there was no certainty that the nature of *The Times* evidence would make his evidence in rebuttal admissible. The judge pressed him hard, but Sir Charles Russell sent him a note in court urging him to be firm in his refusal. So after three witnesses had said that they

understood certain libellous matter to refer to the plaintiff his case was closed.

The course taken by the Attorney-General (Sir Richard Webster) was equally strange. He began by saying that he would ask the jury to decide upon the merits and the evidence; then he spent two days in reading the whole of the articles headed "Parnellism and Crime"; and then said that as these articles were libels on other persons and not on the plaintiff he would not call any evidence at all. Thereupon the jury promptly found that there was no libel upon the plaintiff, and the case was ended.

On the evening of that day Parnell made a statement in the House of Commons, to which *The Times* replied, maintaining its charges.

On the middle day of this trial I had been very busy in the House of Commons in passing through Committee the Oaths Bill, which has since prevented the recurrence in Parliament or in the Courts of any such difficulty as had led to the Bradlaugh controversy.

My work soon became much heavier, for before the House rose an Act was passed setting up a Special Commission to inquire into the charges made by *The Times*.

The Government were very reluctant to appoint the Commission. They rightly held that it was for those who complained of being falsely accused to vindicate themselves in the Courts by action or by a prosecution. But the repetition of the charges by the Attorney-General, and the unexpected finish of the trial, had undoubtedly caused some uneasiness in the public mind, and Chamberlain and his friends pressed hard for an inquiry. The idea of a Committee was rejected for the reasons I had successfully urged in 1887, and a Special Commission was the only alternative.

Webster was not in favour of it, and I was thoroughly against it. He wrote to me from Scotland on September 3rd:

I have written to Smith to say that in my opinion I ought not to appear before the Commission now that it has taken its present shape. Every day I curse Chamber-

lain and the Unionists for their obstinacy, but perhaps they are wiser than I am.

The Commission sat to settle its procedure on September 17th, 1888, and its work continued until November 22nd, 1889, the Report not being issued until February 13th, 1890.

But no great public interest was taken in the proceedings after March 6th, 1889, when the grave charges against Parnell had collapsed with the flight of Pigott, after he had confessed that he was responsible for the forgeries by which *The Times* had been deceived.

On the day that the counsel for *The Times* withdrew the letters and all the charges founded upon them a remarkable scene was witnessed in the House of Commons. I quote my description of it from a speech I made at Plymouth in 1891.

I witnessed not long ago, in the year 1889, one very remarkable scene. The Special Commission had been holding its sittings, and during those sittings there had been an investigation into what were known as the Pigott letters, and the result of their investigation was that the letters were admitted by Pigott himself to have been forged, and Mr. Parnell was cleared, as the Commission afterwards pronounced, of a charge of infamous conduct which, if it had been proved, would have disentitled him to be accepted as an ally or counsellor upon any question of political affairs. But he was cleared of that charge in the course of the Commission, and when he came into the House of Commons that night one of the most remarkable scenes which ever occurred in that House was witnessed. As he stepped along the benches to his place the whole of the Liberal party above and below the gangway rose to do homage to him. There was the stately form of Sir William Harcourt—who looked inclined to wipe the stain of Parnellite juice from the corners of his mouth—bending in homage to Mr. Parnell; and there, more remarkable still, was that statesman of peerless accomplishments and experience, Mr. Gladstone, leaning with his hand upon the table, and turning and bowing towards Mr. Parnell. Sir, it was an incident which might have disturbed the balance of mind of a smaller man. I saw Mr. Parnell standing

erect among the whole standing crowd. He took no notice of it whatever. He had not asked them to get up. When they had finished standing up they sat down, and he took no notice of their rising or their sitting down ; and when they had resumed their places he proceeded to make a perfectly calm and quiet speech, in which he made not the smallest reference, direct or indirect, to the incident, extraordinary as it was, which had just happened. I thought, as I looked at him that night, that that man was a born leader of men—calm, self-confident, and powerful ; and depend upon it that, so long as Mr. Parnell lives, he is a living force with whom the Gladstonians will have to reckon if they want to enter into alliances for the sake of Home Rule.[1]

From this period Parnell's position steadily improved and that of the Government became more and more difficult. There was no fear of their being ejected from office on a party vote, for on any vital issue the Liberal Unionists would always rally to their support ; but the Nationalists followed the wise advice of their leader, not to push Irish questions to the front, but to find opportunities for embarrassing the Ministry in questions of English legislation. In 1889 the Budget proposals as to the taxation of spirit were skilfully used for this purpose. Meanwhile Parnell had been publicly reconciled with Lord Spencer, and towards the close of the year was invited to stay at Hawarden. The tone of his speeches was greatly changed. On December 16th, the day before he went to be Mr. Gladstone's guest, he made a remarkable speech at Nottingham, which showed how far he had travelled since his speech at the Boston Convention five years before. There he had said :

> We will work as long as we have life for the consummation of that object for which our fathers worked, until we have made Ireland a nation and given her a harp without a crown.

Now at Nottingham he disavowed any desire for the separation of the two countries, and said he would not ask

[1] *Public Speeches*, 1890–1900, p. 7.

even for the restoration of Grattan's Parliament, because that gave the Irish the power of separate action on military matters. At Hawarden he had two hours' talk with Gladstone on each of two successive days, and the Liberal leader found him "one of the very best people to deal with that he had ever known." He was at the top of his fortunes. Welcomed in every gathering of English Liberals, followed with obsequious loyalty by his own supporters, received in friendly conference by the venerable leader of the Liberal party, confident that they united would carry forward to success the once defeated scheme, it looked scarcely possible that anything could now stay his triumphant course.

But the punishment of sin was at hand. At the very hour when the two statesmen sat together in the drawing-room at Hawarden planning how to use the great majority which their well-justified hopes looked forward to in the next Parliament, which they thought could not be long postponed, the first steps were being taken in the proceedings which within eleven months were to drive him out into the storm, outlawed by the Liberals, abused and insulted by the men he had led, to struggle on for a few wild months of frenzy and disease and then to pass to his grave.

I had no part in the case of *O'Donnell* v. *Walter* or in the proceedings of the Special Commission, but in July 1889 I went to Manchester as counsel for the Prime Minister in a very interesting case which gave me the welcome opportunity of cross-examining one of the most violent of the Irish agitators. In the previous September Lord Salisbury, speaking at Watford and commenting on an incendiary speech made at Tipperary by Mr. William O'Brien, charged him, in language of characteristic precision, with having urged that men who took unlet farms should be treated as they had been treated during the last ten years in the locality in which he spoke,—"that is to say, that they should be murdered, robbed, their cattle shot and ill-treated, and their farms devastated." Mr. O'Brien brought an action, claimed £10,000 damages, and laid the

venue of trial at Manchester, where it was quite reasonably supposed an impartial jury might be obtained. The pleadings had been completed before I was consulted, and when I saw my brief I found that the first paragraph of the statement of defence set out that the defendant was a member of the House of Peers. The next paragraph stated that his speech was a fair comment on matters of public notoriety and concern. It appeared to be intended to raise some sort of defence of privilege on the ground of Lord Salisbury's rank and position. To this I at once objected. I told Sir Richard Nicholson, Lord Salisbury's solicitor, that the right course for the Prime Minister was either to admit that he had been mistaken, and make a full apology, or to say that what he said was true and that he was prepared to prove it. Sir Richard said that had been considered, but that it was felt that if a plea of justification were set up and failed the damages would probably be enormous. He felt that no such step could be taken without positive instructions from his client. I asked to see Lord Salisbury, and we had a long talk with him in his room at the House of Lords. He listened attentively while the arguments on each side were put before him, and then said that he wished that the pleadings should be altered, and the question of truth or untruth fought out, no question of privilege being raised. This was done, and it was with a feeling of heavy responsibility that I went to Manchester to lead for the defence.

The trial began on July 19th, the day on which Parnell received the freedom of the city of Edinburgh, which had been voted to him by the town council, although a plebiscite of the municipal electors, privately taken, had shown an overwhelming majority against it. My juniors were Ambrose, Q.C. (then or afterwards M.P. for the Harrow division of Middlesex), Danckwerts (who drew the original pleadings), and Lord Robert Cecil, who had been called to the Bar a few months before his father made the Watford speech: a young junior counsel on the circuit was also briefed. On

the other side were Gully, Q.C. (afterwards Speaker of the House of Commons, and later created Lord Selby), Bigham, Q.C. (afterwards President of the Probate Division, and later Lord Mersey), two of the leaders of the Northern Circuit, and a junior named Anderson. The judge was Fitzjames Stephen, who in his prime was one of the finest judges who ever sat on the English Bench. At this time his powers were failing; and our anxieties were increased by some peculiarities in his behaviour, which soon after became painfully marked. Our first difficulty was with regard to the jury, for public feeling in Manchester was very sharply divided, and Gully and I both feared that the case might have an unsatisfactory ending in the failure of the jury to agree upon a verdict. However, we agreed that there should be no challenges; and the first twelve special jurors called were impanelled to try the case.

The trial lasted three days. The plaintiff was called and briefly examined in chief, and my cross-examination filled five columns of *The Times*. I stated our case, and then we called witnesses, who gave evidence of a system of intimidation and outrage and murder, of the most cruel boycotting, of callous and inhuman behaviour to the relatives of those who had been murdered,—a story which had never been told with such distinctness, and which, told as it now was in brief consecutive narrative, made an immense impression on the jury, and afterwards on the country. We went on until Gully, seeing the effect that was being produced, and seeing that cross-examination only gave fresh force and emphasis to the evidence, ceased to cross-examine, and admitted that there had been a formidable number of outrages in Ireland. I had still sixteen or seventeen witnesses to call, but I dispensed with them, and after our closing speeches and the judge's summing up the jury went out to consider their verdict. They had hardly time to go to their room to consult, for in six minutes they were back in court with a verdict for Lord Salisbury. The streets of Manchester were thronged, and before I could get back to the Queen's Hotel the news-

paper boys were selling the reports of the closing scenes in court as fast as they could hand out the papers from the carts. Stephen went on to Liverpool to try Mrs. Maybrick, and was hooted in the streets by the Irishmen. A letter of warm thanks came to me from my grateful client.

Lady Clarke was at the time staying at Hygeia House, Staines, which I had rented for July and August. I of course had to stay a good deal in town, and a few sentences from my daily letters from the House of Commons may relieve the dullness of a political narrative.

Tuesday, July 23rd, 1889.

I have had my fill of praise and congratulation since I came to town yesterday. The people here seem very delighted and a little surprised at the Manchester victory, and are very enthusiastic about it. I have been pretty busy these two days. Yesterday I was fighting Henry James in a will case, and beat him ; and to-day I have been in Chancery for the Coal Consumers' Co., and have done very well for them. . . . Last night I went to the St. Stephen's Club to a dinner (private) at which Mr. Balfour was speaking, but it was rather a hardworking sort of repast, for three times the division bell brought us running over to the House. We are getting to the end of the Scotch Bills, but our opponents seem resolved to give us as much trouble as they can.

August 2nd, 1889.

We are spending the evening here with little debate and many divisions, and since I began this I have been called away to one useless march round the lobbies. The only interest about them is to see Mr. Gladstone, looking terribly worn and tired, marching along among us, carrying his blotting-pad and half-written letters with him, and without a single one of his old colleagues to keep him company.[1] They are all staying away from the House, and this last night of the session, as far as he is concerned (for he goes to Hawarden to-morrow), he is quite deserted.

[1] The divisions were upon the Tithes Bill.

August 6th, 1889.

DEAREST WIFE,

I have very nearly missed the post again this evening, for about an hour ago I went into the House, and thought I would stay and listen to the debate. The Irish Estimates are on, and one MacNeill (we call him Pongo) was raging away about the arrest of Father McFadden. He sent me off into a sweet sleep on the Treasury bench, and I do not know how long it would have lasted had not Sir Herbert Maxwell woke me up for a business matter he wanted to see me about. You would not have missed any news. Percival will have brought you reports from Russell Square, and Rosher [1] will have told you how little has been doing in court.

But you can at least have a message of love from me. My letter would be full of " yesterday " and " to-morrow "—the yesterday when I saw you and the to-morrow when we shall meet again. But memories and expectations are both of them too copious and too sweet for expression ; so I only say, I look forward to being with my love as early as I can to-morrow.

Ever fondly yours,
E. C.

August 9th, 1889.

We are having very lively times in the House, and last night were within an ace of having a free fight in front of the Chair. Harrington threw down his hat, and stepped out into the gangway with the full intention of rushing at Balfour, but thought better of it just in time.

A good many of the Irishmen had had too much to drink, and Parnell has gone off to Ireland to shoot grouse (I am told), and left them with orders to keep up the fight.

August 13th, 1889.

We had a pretty lively evening here yesterday, for in one division the majority was only four, and even that was better than some of our friends expected. So you see my vote was really of consequence. As I could not be with you I honoured the day [2] by standing grouse and champagne to fifteen of my colleagues. When the birds were

[1] G. B. Rosher, an old pupil, who helped me for many years.
[2] Our wedding day.

killed I do not know, but they were in very good condition. . . . We have just had another division, but we have got back to majorities of about thirty, so the excitement has rather gone off.

August 16th, 1889.

We have just been having a particularly interesting discussion in the House, and the result of it is that the Tithes Bill is withdrawn, the Estimates are to be got through as soon as possible, and we can pretty well see our way to winding up the session. I fear, however, that will take us a full fortnight, and that we shall probably only get free the day after the Staines tenancy expires. It is very vexing to think that we might probably have got away to-morrow, if we had not brought in that unfortunate Bill. To have spent all this time in failing to pass it is really too sad.

In December I had a letter from Mr. Joseph Soames, asking me to accept the leading brief for *The Times* in the action for libel which had been brought against them by Mr. Parnell, and which was to come on for trial soon after Christmas. Sir Henry James and Mr. George Askwith were to be my juniors. I wrote to Lord Salisbury, asking what he would wish me to do, and he, after consultation with Mr. Smith, replied leaving the matter entirely to my decision. I thereupon refused the brief. I reproduce the letter in which I told the Prime Minister of this, for there are a few words in it which will explain my refusal six years later to resume the post of Solicitor-General.

37, RUSSELL SQUARE,
December 27th, 1889.

DEAR LORD SALISBURY,

I am very much obliged by your most kind and considerate letter, and hope you will not think that I troubled you unnecessarily when you hear that, understanding that you leave me full liberty of action, I have decided to refuse the brief offered me by *The Times*. During the last few days I have thought much over the different aspects of the question, and I cannot help thinking that by now accepting the position of counsel for *The Times* in such a case as this I should run a risk, however remote,

of disabling myself from rendering effective service to the Government. Until the report of the Special Commission is published it is impossible to forecast what action the Government may find it necessary or convenient to take, and I fear that some of our friends in the House of Commons would not understand, and would be inclined to resent, my putting it in the power of our opponents to say that both the Law Officers were in the pay of *The Times*.

The Attorney-General had no reason for refusing the brief in *O'Donnell* v. *Walter*, for he could not foresee to what it might lead; but the same excuse would not avail for me. Again, I fear my action might do much to strengthen the proposal, which I think a mischievous one, although it could hardly affect me personally, that the Law Officers should be forbidden to take private practice. The interests of *The Times* are quite safe in the hands of Sir Henry James; and although I lose an opportunity of distinction, that is after all a very small matter.

On February 4th, 1890 (curiously enough it was on the very day that *The Times* announced the settlement of the Parnell libel case by an agreed verdict for £5,000), Lewis Coward came over to my room at the Law Courts to tell me that he had a very important divorce case in hand which gave him much anxiety, and he had told his solicitor client that he did not wish to take any further step in it without having a consultation with the leader who would have to conduct it in court. It was the application of Captain O'Shea for a divorce from his wife on the ground of her adultery with Mr. Parnell. The petition had already been filed. I learned afterwards from Captain O'Shea that in October or November of the previous year he had become aware that adulterous relations existed between his wife and the Irish leader. He had gone into a room adjoining her bedroom at Walsingham Terrace, Brighton, and had there found Mr. Parnell's dressing utensils and some of his clothes. He spoke to a friend about the discovery, and was advised to lay it before Cardinal Manning, as the rules of the Roman Church, to which he and his wife both belonged, forbade any resort to the Divorce Court.

Together with his statement he sent to the Cardinal copies of certain incriminating letters which had somehow come into his possession. He told me that a fortnight later he was glad he had taken the precaution only to send copies, for he found that the Cardinal had consulted Sir Charles Russell and Mr. George Lewis, and the documents had been shown to them. Indignant at this, he demanded their return, and determined to sue for a divorce.

Strangely enough, he went with his papers to Mr. Joseph Soames, the solicitor for *The Times*, who had conducted their case before the Special Commission, which had not yet reported, and, more strangely still, that very dull but respectable solicitor accepted his instructions, and the citation was actually issued by him. The impropriety, to say the least of it, of his acting in such a case at such a time, however, soon occurred to Mr. Soames, or was suggested to him, and he advised the Captain to employ some one else. But, with marvellous ill judgement, he suggested the name of Mr. Day, a young solicitor of only ten months' standing, who, apart from his inexperience, was the most unfit man, except Mr. Soames himself, who could possibly have been employed, for he was the son of Mr. Justice Day, one of the Special Commissioners, and himself, as was his son, a Roman Catholic. Day retained me and instructed Lewis Coward, and the petition was filed, and then Coward suggested an immediate consultation with me.

Day came to consultation, and I at once asked where the original letters were which might be of so much importance.

"Oh," said Day, "here they are," and putting his hand into the breast pocket of his coat produced a pocket-book containing them.

"My dear sir," said I, "how long have you had them there?"

"Ever since I was first instructed," said he. "I was not going to trust them out of my possession."

It was quite plain that in the interests of the client the case must not be left in such hands, and as gently as possible I pointed out to him the obvious objections to his

continuing to act. At first he was somewhat hurt, but after a time he consented to my discussing the matter with his father, who was one of my oldest and closest friends. So directly the consultation was over I went to see Sir John Day. To my surprise he did not at first seem to see the objections to the son conducting a divorce case against a man upon whom the father was at that very time sitting as judge in grave charges of criminality, and said he did not think he ought to prevent his son having a case which would be very profitable, and useful in other ways ; but eventually he took a different view, and authorised me to say that he thought it advisable that the case should pass into other hands. I asked young Day to come and see me, and told him my views and what had passed with his father, and asked him to consider the matter carefully.

Early next morning the Captain appeared at my room in a state of angry excitement at having been thrown over by another solicitor ; for he had just received a letter from Day asking him to put the case into other hands. He asked me whom he should employ, and of course I named Mr. Muskett, the managing clerk to Messrs. Wontner. That firm had the largest practice in criminal cases except Mr. Lewis, and I had long known Mr. Muskett as one of the ablest and most discreet of lawyers.

An appointment was made for a consultation that afternoon ; Mr. Day attended, the papers were handed over, and before night our anxiety about them was ended, for the originals were safely lodged with the National Safe Deposit Company. And at this consultation I arranged that Mr. Muskett should come in and see me at any time without troubling to appoint a consultation, and that no step should be taken in the case without my personal knowledge and advice.

The announcement of the commencement of these proceedings attracted very little public attention. The relations between Mrs. O'Shea and the Irish leader had indeed long been notorious. Their political association began as early as 1880, and it was at a lunch at which Mr. Parnell

was present that Mr. Gladstone, always very susceptible to the charms of women of beauty and wit, first met, and was much attracted by, this remarkable woman. In 1882 she was the intermediary between the Cabinet and the Irish leader in arranging the disgraceful treaty of Kilmainham, the full terms of which would have been concealed from the House of Commons but for the vigilance and firmness of Mr. Forster. As early as 1881 Captain O'Shea had cause for suspicion, and challenged Mr. Parnell to a duel. This was somehow avoided, and the intrigue continued. In February 1882 a girl was born, of whom the Captain mistakenly supposed himself to be the father. She lived only two months, and Parnell, released for a short time from Kilmainham, went to Eltham to embrace his dying child. Two more daughters were born, one in March 1883 and one in November 1884.

In 1885 a vacancy occurred in the representation of Galway, and, to the indignation of some members of his party, Mr. Parnell decided that Captain O'Shea should be the Nationalist candidate, and went himself to Galway to make speeches in his support. Justin McCarthy and Tim Healy went to speak for the other candidate, and the latter boldly alleged the nature of Parnell's relations with Mrs. O'Shea. These were known to his followers, for some time before a letter to him from Mrs. O'Shea had been opened by one member of the party, and of course the knowledge of one soon became the knowledge of all. They used to joke about "Kitty" in his absence; for there was never a man among them who would have dared to do it in his presence. I heard at the House of Commons of his nightly visits to Eltham. He was a shrewd man in many things, but his expedients for securing secrecy were quite childish in their futility.

He used to take a hansom cab at Westminster and drive to the Nelson public-house in the Old Kent Road. There he dismissed his cab and walked a little way, and then took another to Eltham. He could not have adopted a better plan for betraying his secret.

These things, however, did not impair in the least degree his authority over his party or the harmony of his relations with the Liberal leaders, and in the spring of 1890 Mr. Gladstone was looking forward to the General Election which must come in a year or two, and was confident that it would give him a majority of at least a hundred, and so make certain the passing of a Home Rule measure.

Meanwhile the Ministry stumbled on in the House of Commons. The gradual alienation of the Liberal Unionists which had begun with the exposure of the Pigott forgeries was still more marked after the Commission had made its final report. Lord Randolph Churchill made a damaging attack on the Ministry, majorities became painfully small, elections went against us, and the leader of the House, always nervous and distrustful of his own judgement, was harassed by a painful disease. His heroic devotion to public duty alone enabled him to continue his regular attendance at the House. Our expectations as to the future quite agreed with Mr. Gladstone's; and so badly did things go with us during the session that Sir William Harcourt hardly seemed to exaggerate when he said, in a speech at the National Liberal Club on July 9th, that Mr. Gladstone's party had only "to complete the rout of a defeated foe and the pursuit of a flying enemy."

Four months later a verdict in the Divorce Court overturned all these hopes and fears and postponed Home Rule for a generation.

At the end of this session of 1890 I had a disappointment which, like all but one of the disappointments of my life, was soon atoned for by consequences which no one could have foreseen. I had never ceased to urge upon my colleagues in public speech and private conversation the adoption of the proposal to carry on Bills from one session to another which Lord Salisbury had made in 1879, and which I had brought forward in the House of Commons in 1882. In the summer of 1890 there were two Bills before the House of Commons which the Ministry were not strong enough to carry. To abandon them would be a humiliating con-

fession of weakness. So at a meeting of the Conservative party the Prime Minister announced that a Standing Order would be proposed under which these Bills could be carried forward to the next session. A strong committee was appointed to consider the proposal, and I hoped that a most useful reform might be carried by general consent. But party spirit was too strong, and the manifest embarrassment of the Government offered too tempting opportunity for its exercise. Mr. Gladstone came as a witness and made a violent attack on the proposal, and the resolution approving the proposed Standing Order, and a reasoned report prepared by Mr. Balfour justifying it, were only carried by a party majority of 11 to 9. I think it is worth while to record the names. For the resolution and report which were moved by the Chairman, Mr. Goschen, there voted Lord Hartington, Mr. Chamberlain, Mr. Arthur Balfour, Sir H. S. Northcote, Sir Algernon Borthwick, Mr. Jennings, Mr. Penrose Fitzgerald, Mr. T. W. Russell, Colonel Malcolm, Mr. John Talbot, and Sir Edward Clarke. On the other side were Mr. Gladstone, Sir William Harcourt, Mr. John Morley, Mr. Sexton, Mr. Labouchere, Mr. Dillon, Mr. Dillwyn, Dr. Hunter, and Mr. Whitbread. But to my great disappointment the report was not acted upon. Mr. Smith was very unwell, and told me he could not face the three or four days of angry debate which would be needed to adopt the proposal, and it was therefore determined to abandon it. The two Bills—the Tithes Bill and the Irish Land Purchase Bill—were dropped, an autumn session was resolved upon, and on August 22nd Parliament was prorogued.

This decision had momentous and unexpected consequences. Parliament was to reassemble on Tuesday, November 25th, and a meeting of the Irish parliamentary party was summoned for that day. The annual meeting of the National Liberal Federation, at which Sir William Harcourt and Mr. John Morley were to speak, was to be held at Sheffield on the 21st.

Meanwhile the Long Vacation came to an end, the Law

Courts reassembled, and the fateful divorce case appeared in the list for trial.

A step had been taken by the respondent which I have never understood. At first the defence put in both by Mrs. O'Shea and by Mr. Parnell was a simple denial of the adultery. Later in the proceedings Mrs. O'Shea amended her defence by adding a plea alleging that Captain O'Shea had been guilty of conduct conducing to her adultery, that he had connived at and condoned it, and she added a counter-charge alleging his adultery with her sister, Mrs. Steele. Who could have advised this step, or why Mr. Parnell permitted it, was and is a mystery. The charge against Mrs. Steele was utterly baseless and wanton ; while of course the plea of connivance was in effect an admission of the adultery alleged against herself. But the whole business was full of puzzles. During the week before the trial we had consultations almost every day, and we heard all sorts of rumours. One day we were told that Mr. Parnell's solicitors had no instructions ; another that a staff of clerks were at work at the house at Brighton preparing briefs for the defence ; next day we heard from Captain O'Shea that it had been intimated to him that he could have £20,000 if he would abandon the suit. And strange witnesses came to Mr. Muskett, and offered to give curious and incredible details of the adultery they said they could prove.

So we went into court on Saturday, November 15th, quite uncertain as to what would happen. Sir Charles Butt was the judge, and Inderwick and Lewis Coward were my juniors.

When I went into court Frank Lockwood was already in the Queen's Counsel row, and he came across to speak to me. I guessed what was coming, and refused to hear anything privately. I wished to be able to say that I knew nothing of the course he intended to take until it was publicly announced in court. Then he, when the judge came in, said he appeared for Mrs. O'Shea, and did not intend to take any part in the proceedings. The position was rather embarrassing for me, for in view of the defence of con-

nivance and the counter-charge I had prepared myself to open the case very fully, and had decided to call among my earliest witnesses young Harry O'Shea and one or both of the two girls who had been born before the acquaintance with Parnell had begun. I at once decided to do without their evidence, to make my statement as short as possible, and to call only a few witnesses. Mr. George Lewis came to me with a message from Mr. Parnell, who had been subpœnaed, and was, he said, in attendance, asking that I would if possible dispense with his appearance in court for the purpose of identification, and he handed me a few recent photographs. I managed to make these do. We might have finished the case that day, but I wanted to call Mrs. Steele to deny publicly the charge that had been made against her, and she was not in attendance. So the case stood over until the 17th, and then, after a little more evidence and a short summing-up, the jury gave their verdict and a decree *nisi* was pronounced.

The political effect was immediate and overwhelming. That the result of the trial should come as a complete surprise to the leaders of the Liberal party is difficult to explain. Mr. John Morley had been for years the friend and adviser of the Irish leader. Two days before the trial took place he told Mr. Gladstone that Parnell was going to be triumphantly acquitted. Parnell had given him that assurance. I think the explanation is that Parnell's solicitors believed down to the last moment that Captain O'Shea would not appear in court; and I suspect that the pleas of connivance and condonation were put on the record with the idea of making it more easy to bribe or to frighten him into the abandonment of his suit.

There was another way out which would have suited the Liberal leaders even better. That was the disappearance of Parnell from political life, leaving a solid body of Irish Home Rulers without any very strong leader, and therefore the more amenable to the friendly control of their English allies. And this nearly happened. Some time before the trial Parnell entertained the idea of leaving

England with Mrs. O'Shea, and taking the two girls, born in 1883 and 1884, who were unquestionably his daughters, and he consulted Mr. Inderwick whether there was any European country in which Mrs. O'Shea, in spite of the orders of an English court of law, would be able to retain the custody of these children.

On the Sunday that came between the opening of the divorce case and the verdict and decree Mr. Gladstone heard of the evidence already given, and his first question was, " Will he ask for the Chiltern Hundreds ? " This is an autobiography and not a political history, but the following quotation from a speech I made at Plymouth on January 5th, 1891, may have its interest in both aspects :

It is seven weeks to-day since I heard, in a case in which I myself appeared as counsel, a verdict given which has materially and permanently affected the political fortunes of both parties in this country. It is hardly possible to realise the change that has passed over the prospects of English political parties in that short period of seven weeks. On the Saturday I had been called upon in the course of my professional duty to make a speech, which was afterwards supported and proved by evidence—only as much evidence as was necessary in the circumstances of the case—and produced the result that, for the moment, the leader of the Gladstonian party has refused to have any political action in common with the leader of the Irish wing of the Home Rule party. The incidents that have passed in that short period of seven weeks are incidents upon which it is not undesirable that we should meditate and reflect this evening. Many of them have been of an extremely amusing character. The Irish party can never keep out entirely the involuntary Irish humour from the proceedings, political and otherwise, in which they are engaged ; and when they began their proceedings in Committee Room No. 15 by solemnly discussing whether they should resolve that the general meeting of the Irish party should be called for " last Friday," they started a series of incidents which maintained their character to the very end of the chapter. They did not decide anything—it was not to be expected that they should put that important

question ; but having broken up in disorder in the dusk of one December evening, they transferred themselves to Dublin, and there started the Home Rule campaign in two different factions. They first started—by way of showing what they expected from unity when Home Rule should be achieved—two rival and opposition "United Irelands" ; and when the imitation "United Ireland" was put down by law, they started again, with true Irish humour, a paper which was published all over Dublin and was called "*Suppressed* United Ireland" ; and since then they have been indulging in a faction fight of the most charming character at Kilkenny ; and by way of showing their attachment to Mr. Gladstone they have returned as member for Kilkenny a member of the Carlton Club. I don't say that we are very proud of him, but the irony of Irish affairs could hardly be carried further than by the selection of Sir John Pope Hennessy, who sat as a Conservative in the House of Commons, and owed his diplomatic promotion to Lord Beaconsfield, and whom I heard not many months ago speak of himself in an after-dinner speech as a member of the Conservative party. Well, sir, these pleasant and amusing incidents of domestic differences will of course be soon forgotten, but there are a good many things that will not be so easily forgotten. We have heard some very plain speaking with regard to their own companions from members of the Parnellite party ; we have heard Mr. Parnell's description of Mr. Gladstone. We have heard from Mr. Parnell that "that grand old Spider"—these, I beg you to observe, are all quotations—"who is the unrivalled coercionist of the Irish race" is a "garrulous old gentleman" whom Mr. Parnell has known for many years, but from whom he "could never get a definite answer to any question that he ever asked." We have heard Mr. Parnell's description of his own companions and late supporters in the House of Commons, from Mr. Healy, who had the distinction of being described in Committee Room No. 15 as "that cowardly little scoundrel in the corner," down to Dr. Tanner, upon whom has been bestowed the sobriquet of a "gutter sparrow." We have heard what the leader thought of his followers, and we have heard with equal plainness what the followers thought of their leader ; and if I do not go on with quotations from their speeches, it is only because, while what the leaders say

may be of some importance, what the followers say is of no consequence to anybody.[1]

Lord Morley has told me that the last time he talked with his old chief on political matters Mr. Gladstone said, "We should have carried Home Rule but for Kitty O'Shea." I once said to David Plunket, "I knew I was throwing a bombshell into the Irish camp, but I did not know it would do quite so much mischief." "Ah," said he, "you didn't know that when it burst they would pick up the pieces and cut each other's throats with them."

[1] *Public Speeches*, 1890–1900, p. 3.

CHAPTER XXIII

QUIET POLITICS AND A NOTABLE CASE: 1891–1892

THE immediate political consequence of the Parnell divorce case and the break up of his party was that the Ministry continued in office for another year and a half. If that case had not been tried, I have no doubt that the Government would have broken down in the autumn session, and a General Election would have taken place directly after Christmas. Instead of that Parliament only sat for a fortnight, and when it reassembled late in January 1891, all parliamentary difficulties had disappeared, and ministers found themselves in enjoyment of a strength and freedom which had not belonged to them at any time since they entered office. The opportunity was well used. The Tithes Bill was passed. Free Education was established. And a valuable Irish Land Purchase Act was added to the Statute Book. Mr. Gladstone came to the House but little. But on each of these Bills his followers challenged important divisions, and in contrast with the scanty majorities of the preceding year, they were beaten by majorities of 94, 101, and 138, all the Nationalist members who came to the House supporting the Government upon the last-named Bill. Nor was there any trouble about Finance. The country was prosperous, and its prosperity was reflected in the yield of taxation. Mr. Goschen had done more than justify his acceptance as a Unionist minister. He had been a tower of strength in debate; and in five years, while taxes were reduced and the naval and military forces of the country substantially strengthened, the National Debt had been reduced by

£37,000,000, and brought to a lower point than it had reached for forty years.

I need say no more about the political affairs of this year, and will turn at once to the case which at one time threatened to have consequences in England as grave as those which in Ireland had followed upon the Parnell divorce.

It arose from a charge of cheating at cards which had been made against Sir William Gordon-Cumming at Tranby Croft in the previous September, when the Prince of Wales was staying there for the Doncaster races, and where Sir William, at the suggestion of the Prince, had been included in the house-party. It is not necessary to recite here the names of the members of that party.

The incidents did none of them any credit ; and those who wish to read the details will find them all fully set out in the newspapers of the first week of June 1891. On the night that the accusation was made Sir William, strongly denying his guilt, was persuaded, under great pressure, to sign an undertaking not to play cards again. All the members of the party save one were bound to secrecy, none of them having the sense to see that the sudden departure of Sir William from Tranby Croft, and his abandonment of card-playing, would effectually secure the publicity of the scandal.

It was all known the next day, for a lady who was not at Tranby Croft heard the story.

On February 6th, 1891, Sir William Gordon-Cumming issued a writ for slander against the persons who had accused him at Tranby Croft, and the defence put in was that the charge was true.

I was instructed by Messrs. Wontner to appear for the plaintiff, and had the good fortune to have as my junior my good friend Charles Gill, one of the ablest and most courageous of advocates, a wise adviser, and a genial companion. I need hardly say that our consultations were long and anxious.

A short time before the case came on Mr. George Lewis, who was the solicitor for all the defendants, came to me with

a message from Marlborough House. Sir Edward Hulse had given the Prince of Wales a box containing the cards and counters to be used in playing baccarat. The counters were large and of bright colours. On one side was the value —£10, £5, £1, or 10s.—on the other the feathers of the Prince of Wales. These were the cards and counters used on the evening of the alleged cheating. Mr. Lewis told me that it would be unpleasant for the Prince that it should be known that he travelled about with this box, and asked if I would be content if the defendants produced for use at the trial counters of the same size and colour, but without the gilt feathers on the back. I told him I could make no promise of concealment, but for the purpose of my opening speech I should be quite willing to use the plain counters. So I went one afternoon to Marlborough House, and saw Sir Francis Knollys, and compared the originals with the copies, some of which I still possess.

On the day of the trial the court had a strange appearance. Lord Coleridge had appropriated half of the public gallery, and had given tickets to his friends. The Prince of Wales occupied a chair at the front of the bench, between the judge and the witness-box. Lady Coleridge sat close to her husband's right hand, and had the duty of checking the occasional inclination to sleep which at this time had become noticeable. The rest of the bench was filled by a group of fashionable ladies, in front of whom, and one might fitly say " close to the footlights," one of the judge's daughters-in-law sat with sketch-book on her knee busily sketching the actors in the drama. Lord Coleridge's angry exclamation when the crowded court cheered my closing speech, " Silence, this is not a theatre," sounded in the circumstances rather amusing.

I was not a little indignant when, after the trial, the sketch-book was brought to me with a request that I would put my signature to the sketch of myself which was inserted between the signed likenesses of Sir Charles Russell and Mr. Asquith.

I believe my reply in this case was one of the best

speeches I ever made. It has sometimes happened to me when making a speech—on rare occasions—perhaps a dozen times in the course of my life—to have all the faculties so working together at the very height of their powers that there has ceased to be the slightest sense of effort, physical or intellectual. No choice of topics, no hesitation of thought, no selection of phrase. As the thought comes into the mind the perfectly apt word comes with it. The phrase has no ambiguity and no extravagance. And voice and gesture instinctively give melody and force to the flowing period.

It is an intense enjoyment to the speaker, and I never felt its delight so fully as when I was delivering that closing speech.

Lord Coleridge said at the beginning of his summing-up that perhaps it was as well that a night had intervened between my speech and the summing-up. He had made the most of the interval. He told Lady Coleridge when he reached home that until he heard my reply he had never doubted what the result of the case would be. And he set to work that night to prepare, or perhaps to complete, the very fine specimen of judicial advocacy which he delivered the next morning.

It has often been a subject of discussion among lawyers whether Charles Russell or John Duke Coleridge was the greater advocate. I am not sure that Russell was quite at his best in the Baccarat case, but so far as that case was concerned I think no careful student of the trial would deny the supremacy to Coleridge.

The result of the case greatly disappointed me. I had opened it in language of studied moderation, for I thought it possible that when Sir William's evidence had been given the defendants would say that they accepted his denial, and would withdraw their idea of justification. That course would not have saved my client from social ostracism. He had made many enemies; and Society, with the leader of Society at its head, would have refused to receive him. But it might have saved him, and the loyal and devoted

lady, who in the hour of his disgrace became his wife, and the innocent children of their marriage, from the shameful cruelty with which in later years they were pursued.

Any counsel of experience distrusts his own judgement upon the merits of a case in which he has himself been an advocate. But so many years have passed since the Baccarat case was tried that I think I am able now to form an unbiased opinion, and I think I ought to leave that opinion on record.

I believe the verdict was wrong, and that Sir William Gordon-Cumming was innocent of the offence charged against him.

The Session of 1892 was very quiet. Some members were away, preparing for the General Election which it was known would come in the autumn, some were careless, for they did not intend to stand again. The Liberal leaders were divided, the Irish party was broken in two, and the Government had no immediate anxieties.

But in that session I delivered three speeches which I think should be mentioned here. The first was upon the Salvation Army. I had enjoyed for some years the friendship and confidence of General Booth, the wonderful man whose devout enthusiasm and genius for organisation converted a local evangelistic effort in an industrial town in the north of England into the world-wide movement which has done so much to promote Christian faith and conduct among the poor and unlearned of every nation. When General Booth came to London I was professionally consulted upon some troublesome legal questions which arose in connection with the establishment of the London headquarters at the Eagle Tavern in the City Road. Some years later I argued for them and won the case of *Beaty* v. *Gilbanks*, which established their right to have public processions and to have those processions protected against interruption; and thenceforward to the end of his long and useful life I had the privilege of being his adviser upon important questions of law. In 1891 a by-law which

enabled the town council at Eastbourne to prohibit the use of a band in the Salvation Army processions was inadvertently sanctioned by Parliament. Serious disorders took place, and in 1892 a Bill was introduced by the Government to repeal this by-law. The Bill passed without difficulty; and in the debate I took occasion to declare that the Salvation Army was so far as I knew the only religious organisation which the world has ever seen which makes the only test of membership personal purity and holiness of life. I said, "Any one who knows anything of the Salvation Army knows this cardinal fact that every one of the hundreds of thousands of persons who join it becomes an abstainer from all intoxicants, and also, which often involves a greater self-denial, an abstainer from the use of tobacco in any form, and any one knowing that realises the extraordinary importance and value of this religious organisation."

This earned for me a caricature in *Punch* of March 19th, 1892, which gave me the greatest pleasure. My friend Harry Furniss, the greatest draughtsman and caricaturist of his time, represented me in Salvation Army uniform dancing along and vigorously clashing a pair of cymbals.

The second of the three speeches was delivered as the spokesman of the Government and the Tory party in opposition to a resolution in favour of the disestablishment of the Church in Wales.[1]

The third was an authorised declaration of the policy of the Government with regard to franchise and registration reform. A small committee had been appointed, consisting of the Solicitor-General for Scotland and myself and one other, to make a report upon the system of registration in England and in Scotland, and this having been considered by the Cabinet I was commissioned to state their views. I have not reprinted this speech, which was delivered on May 25th, 1892, and will be found in *Hansard*, series 4, vol. iv, p. 1829; but for twenty-five years Parliament has neglected the subject, and it may be worth while

[1] *Selected Speeches*, p. 173.

to note the proposals which Lord Salisbury and his colleagues were prepared to accept.

The principle laid down was that it should be made as easy as possible for any man qualified by law to exercise the franchise ; that his name should be put on the electoral list by the action of a public officer ; and that when once there it should not be allowed to disappear from the list as long as he continues to hold a qualification. Successive occupation should be allowed from one borough to another, and not only within the limits of a borough. The Scottish system should be adopted ; the system of revising barristers, and the direct influence of political partisans on the formation of the electoral roll should be abolished ; and the record from which the names of voters are taken should be a record which is not connected with parliamentary and political purposes only, but is connected also with liability to rating and other public liabilities and duties.

I hope this speech may yet be found of use when the manifold evils of the present system of registration come to be seriously dealt with.

The Parliament went quietly on to its close ; and the dissolution in July 1892 brought me a harder contest at Plymouth than I had expected. This was owing to a curious blunder by the authorities at the Admiralty. For some years the representatives of dockyard constituencies had been urging on successive Governments the reasonable claim of the shipwrights to an increase in their wages, which had been fixed long ago, and were lower than the wages given in private yards.

In 1892 Lord George Hamilton, who recognised the justice of the claim, and did not disregard the party advantage which might be gained by a concession, persuaded the Government to authorise a further expenditure of £96,000 a year, which would suffice to give an increase of 2s. a week to all the shipwrights. Unfortunately the Secretary to the Admiralty, Mr. Arthur Forwood, a Liverpool shipowner, persuaded him to approve a scheme by which the ship-

wrights were divided into three classes, receiving respectively increases of one shilling, two shillings, and three shillings, according to their length of service. This pleased no one. There was indeed no justice in it, for it was the men who had young families to bring up who needed most the larger wage ; and all classes resented the distinction made between them.

I came to London during the election to see if the mistake could be repaired, but the increase of 3*s*. to the older men having been once announced could not be withdrawn ; we went to the poll with the majority of the angry shipwrights voting against us ; and although I headed the poll, and my new colleague Sir William Pearce was returned with me, I only beat the strongest opponent by 160 votes—a disappointing contrast to the 882 of six years before.

Elsewhere the effect of the blunder was much more serious. At Devonport we lost both seats, at Portsmouth one, and another at the Pembroke Boroughs.

When the new Parliament met in January of 1893 Gladstone had a majority of 39. Of the English representatives the majority against him was 71. With a House of Commons so constituted I doubt if any one but he really thought it possible to place a Home Rule Act upon the Statute Book. If the majority had been only 31 the gallant old fighter would hardly have prevailed on his followers to make the attempt.

My six years of office as Solicitor-General came to an end on August 18th, 1892.

CHAPTER XXIV

THE FRONT OPPOSITION BENCH: 1892–1895

THE first use I made of my recovered freedom was to pay a visit to Ireland. I had long felt ashamed that while we in the House of Commons were constantly discussing Irish affairs, so few of us had any personal knowledge of the country and its people. So after a week or two of pleasant boating and tennis at Staines, I went off with my wife and daughter and my eldest son to spend a few weeks in enjoying lovely scenery and a delightful people.

We stayed for a while in Dublin, in excellent rooms at the Shelbourne Hotel, where we met many friends and made pleasant new ones, and then we had a never-to-be-forgotten week of enjoyment at Glengarriff, surely one of the loveliest places on earth. Then came Killarney, famed for its beauty and worthy of all its fame. I shall never forget the brilliant autumn day when my son and I took a merry guide and went to the top of Mangerton, and heard the story of the bottomless lake, and drank "God Save Ireland" in some special Irish whisky for which a house we had passed on the road was famed.

We sojourned for a while at Cork, at Limerick, and at Bray; and my son and I made a special trip to see the New Tipperary, which was the one constructive experiment of the Nationalist movement. And we came back to Dublin in time to witness from the windows of the Imperial Hotel in Sackville Street the great procession that went to Glasnevin Cemetery on the first anniversary of Parnell's death.

I am reluctant to quote from my own speeches, but I do not think I can describe that procession and what appeared

to me to be its political significance better than by transcribing a passage from my speech at Plymouth on January 3rd, 1893.

I had an opportunity while in Ireland of considering a very interesting question in that country now, and that is the question of the relative strength of the two parties which claim between them to represent the Nationalist cause of Ireland—I mean the Parnellites and those who by a curious and inexcusable blunder have allowed themselves to be called anti-Parnellites. I had an interesting opportunity of observing the strength of the Parnellite party in the chief city of Ireland.

On October 9th a procession took place through Dublin to Glasnevin Cemetery in commemoration of the death of Mr. Parnell, and from a balcony in Sackville Street I watched that procession. It was a most remarkable sight on a most remarkable day. The priests of the distant parts of Ireland had set themselves to thwart, if they could, the intention to hold that great demonstration. They had refused in more than one place to celebrate early mass, in the hope that that refusal would prevent the people being able to go by train to Dublin to take part in that procession. But on that Sunday morning every quarter of an hour from ten o'clock in the morning until half-past twelve, at each of the railway stations in Dublin, special trains were arriving from the country, bringing thousands of people to join in the tribute to Mr. Parnell's memory.

All those people were coming in wearing bunches of ivy leaves, which have now become in Ireland the recognised sign of adherents to Parnellism. The streets grew gradually more and more thronged in the morning, and at midday there were dense crowds all over Sackville Street to the O'Connell bridge.

The most remarkable thing was that there was not a policeman to be seen. The crowd was in perfect order, but we wondered how the procession would make its way.

Presently came the procession. Four men in front of it with wands bound in black and white were enough to make way through the crowd.

The car piled with wreaths passed on, the Parnellite members walking bareheaded after it, and then came for an hour and a quarter persons walking in procession.

I cannot say with certainty, but, from experiment made at different times, I should think there were ten or eleven thousand persons walking in that procession. But the importance of the matter was in the crowds that filled the streets, and that almost everywhere you saw an ivy leaf in the coat which admitted the wearer to be a follower of Parnell. The remarkable thing about Irish politics to me at this moment is this: that while what is called the Parnellite party in Ireland is now but small in the House of Commons—nine or ten in number—their opponents have, by a singular and inexplicable fatuity, handed over to them the whole of the sentiment connected with the Nationalist cause in Ireland.

There is Parnell's grave in Glasnevin Cemetery to which thousands of people go, and which is the great object of observation, and there is the wearing of the ivy leaf. It may be the priests will be too strong for Parnellism. I don't think they will. There is no more sentimental people in the world than the Irish people, and their sentiments now are associated with Parnell and his history and his triumphs in the House of Commons in a way which I do not think will ever be defeated.

But if the priests do not succeed in crushing Parnellism, I am quite sure that Parnellism will conquer the opponents whom it will find in Ireland. It was said the other day by one of the representatives of the anti-Parnellite party that the Parnellites have no capable men among them. I read the assertion with great surprise, for undoubtedly in Mr. John Redmond the Parnellites have the most able parliamentary speaker amongst those who now represent Ireland in the House of Commons.[1]

In order to complete the account of this visit to Ireland I must add a few more sentences from the same speech.

During those three weeks I determinedly did not see an English newspaper.

I read only the newspapers that one found in the country, and one of the most curious things was that during the whole time I was there, and taking all the local newspapers

[1] *Public Speeches*, 1890–1900, p. 37.

to which I had access, I do not think I ever saw any reference to the establishment of an Irish Parliament.

The people over there do not seem to look upon that as one of the serious questions with which they are dealing. I do not say that the casual observations of the people one meets in various parts of Ireland can be accepted as an altogether trustworthy indication of public feeling; but I am bound to say I was struck with the observation of a car-driver driving me to Killarney. Of course that driver—and he was tempted by me I am afraid—indulged me with a most enthusiastic description of the merits of Mr. Gladstone. He was indeed among Mr. Gladstone's most enthusiastic supporters. He told me that he was the most wonderful man that ever lived, that there had not been a thought of his life that had not been given to justice to Ireland; and he spoke of the magnificent things which that splendid statesman had done and intended to do. So I fell in with his humour, and I said, "And now you're all right as he is in office, and in six months he will be giving you an Irish Parliament." "Oh, God forbid," he said; "that would make things worse than ever." He would have nothing to do with an Irish Parliament at all. "What they want," said he, "is not to pay rent." I believe that the most complete expression of the general desire and feeling of the Irish people that I came across in that time was put in plain terms by another car-driver. He said, "What people want is to pay no rent and have compensation for improvements." Well, travelling in Ireland, reading the local papers, hearing local opinions, talking to people about politics, one could see at once that there was no question as to the establishment of a Parliament, or of an executive responsible to Parliament, or anything of that kind. They had their grievances, or thought they had them, with regard to the terms of their holdings, they were all eager to become the owners of the holdings which they tilled, and the conclusion which was borne in on my mind is that the whole secret of the Irish question is this security and tenure of occupation of land, and that if the policy which we carried out in Lord Ashbourne's Act for enabling tenants of farms to become on easy terms proprietors of their holdings were steadily carried through we should so wipe out the question of Nationalist aspirations for a Parliament.[1]

[1] *Public Speeches*, 1890–1900, p. 36.

It was soon announced that Sir Charles Russell and Mr. John Rigby were to be the new Law Officers, and that they had acquiesced in a rule that they should take no private practice except in the House of Lords and the Judicial Committee of the Privy Council; an exception which was of no importance to Russell, as he seldom appeared in either place. A curious little note from him reached me on August 18th.

MY DEAR CLARKE,

Mr. G. in appointing his Law Officers finds he is confronted with a rule laid down by the late Government against the Law Officer taking (with certain exceptions) any private practice. Pray let me know your understanding of that rule.

I envy your freedom!

Yours faithfully,
C. RUSSELL.

He put the same question to Lord Halsbury and to Webster, and was told by both of them that no such rule had been laid down.

My reply to his letter was:

MY DEAR RUSSELL,

No such rule as you mention was laid down by the late Government; Webster and I were not subject to any restrictions whatever in the matter of private business, nor should I have submitted to any. I think it is a pity you and Rigby have consented to take office on other terms, but I look on this consent as simply a matter of personal arrangement between yourselves and Mr. Gladstone, and not as establishing a rule by which others will be bound.

Very faithfully yours,
EDWARD CLARKE.

Charles Russell was furious; he declared Mr. Gladstone had deceived him, and claimed to be relieved of the restriction. The Lord Chancellor (Herschell) brought the matter before the Cabinet, but they were firm.

The new arrangement did not prove a success from the

point of view of public economy, and Russell soon found he had nothing to complain of.

In 1891 his income had been a little under £14,000; during the period of rather less than two years, from August 1892 to May 1894, he received from the Treasury something over £32,000, being an annual income of nearly twice the average amount of public money received by the Attorney-General during the previous twenty years.

As soon as I left office my clerk came to me and suggested that I should now relax the rule I had laid down of not accepting a brief with less than a hundred guineas. He thought that as a private counsel I could not prudently try to maintain it. I told him I was not very anxious about the amount of my income, and felt sure I should earn sufficient for my needs, and that after six years of very hard work I should not be sorry to have a time of more leisure. He was gloomy and apprehensive; but his apprehensions were very far from being justified.

The meeting of Parliament in February 1893 was the beginning of the most enjoyable period of my political life. The front Opposition bench is by far the pleasantest place in the House. I was no longer bound to constant attendance on the debates. The escape from the onerous obligation of being in my place during the last half-hour of every sitting was an especial relief. I had of course to surrender my occupancy of the Solicitor-General's room; but the authorities of the House were very kind, and gave me the use of a small room close to a private exit under an arch of the Speaker's courtyard, where, so long as I remained a member of Parliament, I was enabled, secure from interruption, to do a great deal of my legal work. Best of all was the fact that now, as in the party out of office there are no Cabinet secrets, I was admitted to the fullest confidence of my leaders, and was entrusted with some very important duties. On three occasions, once in each of the three years that the Government lasted, I was chosen to lead the opposition to an important Bill.

The first, and by far the most important of these, was the

introduction of the second Home Rule Bill by Mr. Gladstone on February 13th, 1893; the anniversary of the day thirteen years before when I had been elected for Southwark. When the date of this introduction was fixed, Mr. Balfour spoke to me about the debate. He did not propose to divide against the first reading; but he said he wished to have a full debate, well sustained, for several nights, and his chief anxiety was as to the first night. Everybody, he said, would be willing to speak the second night, after time for thought and consideration, but he wanted a good strong fighting speech which would be read on the same day as Mr. Gladstone's opening. Would I prepare myself to speak on the first evening, say at ten o'clock? I agreed to speak, but I suggested that I should follow Mr. Gladstone immediately he sat down. I said my training at the Bar had accustomed me to answer at once an opponent's arguments, I thought my speech would be no better for the two or three hours' interval, and that it would gain in effect if made directly the new proposals were stated. He seemed surprised at the suggestion, but agreed that an immediate reply would be the more effective, and it was so arranged.

My first preparation for the heavy task I had undertaken was to get a copy of the old Home Rule Bill, and absolutely learn it by heart, so as to remember the number and exact terms of every cause. So far as old proposals were repeated I knew the comment we had made upon them seven years before; if they were varied the alteration was a confession of previous mistake and the answer to the new scheme must be extemporised. Then I went down to Brighton with Lady Clarke for two or three days, took spacious and excellent rooms at the Grand Hotel, worked diligently at my notes, wrote my peroration, and fixed its phrases in my memory while I walked up and down the front, and made my usual excursion to look at the house in Walsingham Terrace, of which I had heard and said so much in the Parnell case.

We came back to town on Monday, and in the afternoon I walked down to the House. Its precincts were full of

excitement. Crowds loitered in Whitehall and Downing Street and round the railings of Palace Yard, and as the well-known leaders passed into the House their adherents cheered them.

As I went up the staircase I heard the roar of cheers when the Prime Minister came to the table, and when I entered the chamber his first sentence was stilling the House to silence. It was a wonderful sight. The whole House was crowded to its limits, every seat occupied, rows of chairs ranged along the floor, all the galleries full, and a crowd of members who could find no seats standing massed at the bar. From over the clock the Prince of Wales and the Duke of York watched the scene ; from the rows right and left of them Lord Rosebery, Lord Spencer, Lord Knutsford, Lord Rowton, and Lord Cadogan listened to the speech.

The Reporters' Gallery was crowded ; and as I went to the seat reserved for me between Mr. Balfour and Mr. Goschen, I could not help recalling the night twenty-six years before, when I had stood in that gallery, and heard the memorable speech which anticipated, and strove to avert, the fall of a Liberal Ministry. And now the same speaker, casting aside the burden of his eighty-four years of strenuous life, stood in the same place, and with form erect, and flashing eye, and voice which had lost but little of its strength and music, poured out for three hours the stream of clear argument and copious illustration and unfaltering phrase. It was, as I acknowledged in my opening sentence, " a splendid example of physical and intellectual power."

He sat down amidst a tumult of cheers, and then his hearers began to hurry away. The Speaker could hardly be heard when he put the question, and I had to stand at the table for several minutes until the noise of departure subsided. The next ten minutes was, I think, the most trying experience of my life—worse than my maiden speech.

Our men sat steady, and helped me by their welcome ; but from below the gangway, and from the benches opposite me, members were hastening out to send telegrams and

letters or to discuss the speech ; and I had the discouragement of fearing that my speech would be delivered to an almost empty House. An unlooked-for incident helped to save me.

After a few introductory sentences on the fact that in the Prime Minister's speech there had been no reference to the Land Question, Mr. Gladstone sprang to his feet.

I am indebted to the hon. and learned gentleman for his reminder. I omitted to mention among the provisions of the Bill that the Land Question is reserved to the Imperial Parliament for a period of three years.

The news that Mr. Gladstone had again risen brought members rushing back into the chamber, and now they for the most part stayed. My speech [1] lasted about an hour, and I had reason to be proud of its reception.

The course of the debates upon the Bill when it reached Committee was not at all creditable to the leaders of the Unionist party. It was not to their interest that time should be occupied by long discussion on the Bill, for this was the only Bill in which the Irish members were interested, and without them the Government had no majority at all. If the Unionists had concentrated their attacks upon the important provisions on which the English Liberals were themselves divided, the Bill might have been defeated in the House of Commons. Instead of that private members were encouraged to put down all the trivial amendments they could think of, and so divisions were taken, at times when the House was full, upon trumpery little questions. Worse still, prominent members of the party voted for proposals they were known to disapprove, in their desire to make more certain the rejection of the Bill by the House of Lords.

I made my comment on this at my next annual meeting at Plymouth on January 2nd, 1894.

There was one great mistake, to my thinking, made by some of the leaders of the party to which I belong in their

[1] *Selected Speeches*, p. 78.

attitude and contest against the Home Rule Bill. I thought it a mistake at the time. I am more confirmed in that opinion since. Some of our leaders, Lord Randolph Churchill especially, kept declaring that it did not matter what the House of Commons did on that subject, for the House of Lords would in any case throw the Bill out. I thought at the time, and think now, that that was a great tactical mistake. In the House of Commons we ought to have no consideration at all of what the House of Lords will or will not do with a measure when it has left our House. In the House of Commons it is our business to discuss the Bill and to frame it as we think it can best be framed, or to resist it to the best of our power if we think it is a mischievous measure.

When we have done our duty in the House of Commons with regard to the matter, then, and then only, comes the responsibility of the House of Lords, and then only should commence the reference to the probable action of the House of Lords. But the mischief done was great. I am certain if there had been no House of Lords that Bill would never have passed a third reading in the House of Commons. It passed the third reading in the shape that it took because many of those who objected to some of its provisions, and who especially objected to the retention of the Irish members in our Parliament, saw there was no chance of the Bill ever passing into law; and they reconciled themselves to allowing it to pass in that form because they knew that the House of Lords would probably make an end of the Bill altogether. Now I hope that blunder will not be repeated by any of the leaders of our party when we are again dealing with a question of great importance in the House of Commons.[1]

The Home Rule Bill was thrown out in the House of Lords by the extraordinary majority of 419 against 41. The Prime Minister wanted a dissolution, but was overruled by his Cabinet, and submitted. Presently he was overruled again on the Navy Estimates, which he wished to reduce. This time he would not submit; and in March 1894 Lord Rosebery became Prime Minister.

In May of that year an important Reform Bill, having

[1] *Public Speeches*, 1890–1900, p. 45.

the awkward title of the "Period of Qualifications and Elections Bill," was introduced by the Chief Secretary for Ireland (Mr. John Morley); and a small committee, on which I served, was appointed to report on its proposals and advise our leaders as to the course they should take. I was commissioned to lead for the Opposition in the debate, and directly the second reading was moved I proposed an amendment declining to "proceed further with a Bill containing provisions effecting extensive changes in the representative system of the country, in the absence of proposals for the redress of the large inequalities existing in the distribution of electoral power."[1] After three nights' debate the second reading was carried by the small majority of 14 (292 against 278). The debate had made it clear that the Bill could not live through the Committee stage, and it was not set down again for discussion.

A Local Veto Bill which was introduced by the Chancellor of the Exchequer (Sir William Harcourt) in April 1895 had an even shorter life and a more inglorious history. Sir William made an elaborate speech in introducing it, and, as in the Home Rule debate, I followed at once and dealt at length with the proposals he had just explained.[2] In the second sentence of my speech I expressed my belief that the Bill would never be set down for a second reading. The forecast was correct. We did not of course divide against its introduction, and the Bill received the honour of being printed. That was sufficient; the House of Commons never heard of it again.

I do not think Harcourt was much disappointed. Indeed it always appeared to me that after Lord Rosebery became Prime Minister he took but little interest in the work of the House of Commons, with the notable exception of the Death Duties Bill of 1894. That was a great personal triumph. There have been in my recollection three great exhibitions of parliamentary skill. They were—the conduct of the Reform Bill, 1867, by Mr. Disraeli, the conduct of the Redistribution Bill of 1885 by Sir Charles Dilke, and

[1] *Selected Speeches*, p. 154. [2] *Ibid.*, p. 47.

the conduct of the Death Duties Bill of 1894 by Sir William Harcourt. Each was a remarkable achievement. In 1885 Sir Charles Dilke showed, only a few months before the wreck of his political career, qualities and capacities which promised to make him one of the foremost English statesmen of his time. His extraordinary industry; the fullness and exactness of his knowledge; his perfect tact and temper in dealing with questions every one of which had a special and peculiar importance to some member or group of members in the House; the air of impartiality with which he did everything that was possible to give an advantage to his own side,—these deserved to be remembered with gratitude by those who were his colleagues.

The achievement of Sir William Harcourt was in some respects greater. In the case of the Redistribution Bill the minister had not only a substantial majority to support him, but he was carrying out a task which had been undertaken at the instance of his opponents, and was therefore exempt from their serious opposition. But Sir William had to carry a novel and complicated proposal in a House where he had only a majority of 40, which would be turned into a minority at any moment if he offended the eighty Irishmen upon whose support the existence of the Government depended. Indeed the Finance Bill only passed the second reading by a majority of 14. Met by a bitter and pertinacious opposition, he for thirty sittings argued, and explained, and persuaded, with singularly little aid from an Attorney-General (Sir John Rigby), who was unused to House of Commons debate and unfitted for it, or from his colleagues. And on the third reading the majority was increased to 20.

The Government spent the spring of 1895 in what Lord Rosebery at the time described as "ploughing the sands"; by trying to pass a Bill for the disestablishment and disendowment of the Welsh Church, a project in which they were of course supported by the Nationalist Roman Catholics.

The end came suddenly and strangely. The Home Secretary (Mr. Asquith) was in charge of the measure, and

he fought it with firmness, eloquence, and courage. It was almost through Committee when, on June 18th, Mr. Gladstone, who was paired in favour of the Government, desired to be set free from his pair, and let it be known that he was no longer a supporter of the Bill. On the evening of the 20th Mr. Asquith was absent from the House, and the majority in a division in Committee fell to seven. The next night the House was in Committee of Supply. A discussion unexpectedly arose about the supply of cordite; a reduction in the vote was moved, and when the division was taken the Government was found to have been beaten by seven. I was not in the House, though I was, I suppose, as usual paired. My friend Penrose Fitzgerald voted in the division, did not know that anything important was happening, did not wait to hear the numbers announced, and learned from the newspapers the next morning that the Government had fallen. Some people were surprised that a vote of confidence was not proposed, which would have wiped out the casual defeat; but if the incident was not arranged, which I think it was, it was found to be a convenient way out of a very unpleasant situation.

Sir William Harcourt was deeply aggrieved at having been set aside when the leadership was vacant on the retirement of Mr. Gladstone. He went on for a year and a half, and showed himself an admirable leader of the House of Commons, but he was hardly on speaking terms with some of his colleagues, and made no secret of their personal differences. There was another and stronger reason for the ministers being inclined to go out on a matter of small importance. The defection of Mr. Gladstone had sealed the fate of the Welsh Church Bill. It had been many days in Committee, and there had been some difficulty in securing even a small majority. Waverers had been kept loyal by being reminded that he, though absent, was supporting the Bill by his pair. Now it became very probable that, after all the time spent upon it, this Bill, like the Registration Bill, and the Local Veto Bill, and the Employers' Liability Bill, would have to be abandoned.

As in 1885 the Government went out upon the Whisky Tax instead of Coercion in Ireland, so in 1895 they preferred to go out on Cordite rather than on Welsh Church Disestablishment. Lord Salisbury was recalled to office, and Lord Halsbury resumed his position as Lord Chancellor. Webster and I agreed that we would refuse to submit to any limitation of our private practice, and we discussed the subject with Lord Halsbury, who was himself strongly in favour of a reversion to the old system, and at his request I prepared a short memorandum which he desired to have with him when the matter was considered by the Cabinet. This was on July 3rd.

On the morning of the 8th I had a letter from the Prime Minister saying that the House of Commons members of the Cabinet were unanimous in thinking that the House of Commons would not give way upon the question of the retention of private practice. He went on to say:

I do not know whether further discussion would furnish any opening for an agreement on this matter. Our own parliamentary and political advantages, the interests of the Bar, as well as our recollections of the past, make us desire very earnestly that, if we win at the elections, you should resume your old position as Solicitor-General. I have thought that under the circumstances the best course will be not to make any submission as to the office of Solicitor-General until later on. Then, if we win the elections, a further effort must be made to discover whether there is any middle term between your views and those to which the House of Commons seems to cling.

I of course gratefully accepted this suggestion, and went down to the contest at Plymouth. I felt quite confident that I should be returned; but an unfortunate incident had made it necessary to find a new candidate for the second seat. Sir Edward Bates had retired three years before; and my colleague in this Parliament had been a young baronet, the son of a notable shipowner and engineer who had founded the great Fairfield Works. The son was a

young man of much ability and charming manners, an excellent candidate and a very pleasant colleague, and his personal qualities and his generous wealth seemed to secure a prolonged membership for Plymouth. Unhappily a year after his election he was the co-respondent in an undefended suit in the Divorce Court. There was as little moral guilt in his case as there could possibly be. The immoral connection began at Oxford when he was an undergraduate, and he had no reason to suppose that the woman who was living a life of professional sin was a married woman. But a strong section of the Unionists refused to support him at another election, and we were forced to seek another candidate.

We found a very good one in the Hon. Evelyn Hubbard, the younger son of the first Lord Addington. I could not have wished for a better fellow-worker in public life. A man of high character and education and great business experience, sound in judgement, weighty in speech, dignified and courteous in manner, I looked forward with the greatest interest and pleasure to our association in political affairs. All seemed to go well, and on the day of election we felt sure that we should both be elected. We did not go to the counting of the votes, but waited with many friends at the Globe Hotel to hear the result. When the figures came they were: Clarke, 5,575; Harrison, 5,482; Hubbard, 5,466; Mendl, 5,298.

It was a great disappointment, and when it was presently explained I was still more mortified. I had almost wearied the electors with my exhortations to vote for both of us, and Hubbard had also. At the election in 1892 these exhortations had been so successful that exactly the same number of votes (5,081) were polled for my colleague and for myself. But this time 46 had plumped for me; and it turned out that a number of my oldest and foremost friends who did not vote until the afternoon, feeling quite certain that we were both winning, voted for me only in order to make sure that I should still be the senior member. The contest had indeed been much closer than I had expected.

Many of the poorer voters thought that my former colleague had been ill-treated; the aggrieved shipwrights had not quite got over their resentment; and some of the Liberal Unionists slipped back to their old allegiance, now that Home Rule appeared to have been finally defeated and was not mentioned in the addresses of the Liberal candidates.

Directly I got back to London discussion began again about the Solicitor-Generalship, and eventually Lord Salisbury sent to ask me to see him at the House of Lords. Webster had given in, and was appointed Attorney before his re-election in the Isle of Wight, so of course there could no longer be any question of a reversion to the former practice. The Prime Minister was kind and persuasive, but I was firm, and eventually my decision was accepted.

We shook hands, and I was leaving the room when Lord Salisbury said, "By the by, I should like to tell you that if at any time within the next two years Sir Richard Webster vacates the Attorney-Generalship I shall ask you to fill his place." I thanked him again for his great kindness, and he said, "You may like to have that promise in writing; I will send it to-morrow."

The next day he wrote me the following letter:

Confidential

HATFIELD HOUSE, HATFIELD, HERTS,
August 16th, 1895.

DEAR SIR EDWARD,

In pursuance of our conversation of last night, I write a line to say in the first place how much I regret that you will not resume your office as Solicitor-General, and in the second to say that in offering it to anybody else I shall reserve to myself the right to offer you the office of Attorney-General in case it should fall vacant within the next eighteen months. If I can fill up the office of Solicitor-General on these terms (which I do not doubt), you may count on my offering you the post of Attorney-General if it should fall vacant within the time I have named.

Yours very truly,
SALISBURY.

A few days later my wife and I (with her old friend who had served as her only bridesmaid thirteen years before) went off to Italy. We had spent a month there in the previous year, travelling by way of Paris and Zurich to Locarno, and then visiting Lugano, Menaggio, Milan, Venice, Florence, Genoa, and Turin.

This time we made the first of our sea trips, and went to Brindisi by the P. & O. boat *Coromandel*. We called at Gibraltar ; and there I heard to my great joy that my friend Robert Finlay had been appointed Solicitor-General. The country lost nothing by my refusal of the office. It gained the service of one of the ablest men I have ever known, a sound lawyer, shrewd in judgement and clear in argument, of instinctive honesty in purpose and in word, who during the eleven years of legal office which began in 1895 established for himself a reputation and position which, though strangely disregarded in the clumsy political transactions of 1915, brought him soon afterwards to his rightful place upon the Woolsack.

Landing at Brindisi, we went to spend a week at Naples, and then travelled by night to Bologna, just breaking the journey for a couple of hours to have a moonlight drive in Rome, thence for a stay of a few days at Venice, and then loitering homewards by way of Verona, Milan, Bellagio, and Lugano.

CHAPTER XXV

VENEZUELA AND THE JAMESON RAID: 1895–1896

BEFORE the end of the year the peaceful prospects of the Ministry were suddenly and heavily overclouded by the opening of a very serious controversy with the Government of the United States. My conduct at this time was misunderstood by many of my friends, and was wilfully misrepresented by others. And in later years it was made a subject of reproach. So in this book, which will probably be the only record of my public and private life, I think that in justice to myself I ought to make the matter clear.

For more than fifty years there had been disagreement and occasional dispute between Great Britain and Venezuela about the boundaries of British Guiana. Nothing of serious importance had occurred recently to aggravate the differences between the two countries, or to convince our leisurely diplomacy that they urgently needed adjustment.

But in the United States a presidential election was approaching, and a bid was made for the Irish vote. Dispatches were written by Mr. Olney, the American Secretary for Foreign Affairs, of an unusual and somewhat menacing character; and on December 17th a message was received by Congress from President Cleveland in which he asked that provision should be made for the expenses of a commission to be appointed by the Executive which should investigate the boundary question and report without delay. And the message went on to declare it to be

> the duty of the United States to resist by every means in its power, as a wilful aggression upon its rights and interests, the appropriation by Great Britain of any land which after

investigation may be determined of right to belong to Venezuela.

These words were received with tumultuous applause.

The danger of the situation was at once appreciated by this country. *The Times* on the same day on which it published the message said :

It is impossible to disguise the gravity of the difficulties which have arisen between this country and the United States.

But it went on to add :

The main point at issue is not whether a case can be made out for submitting the entire Venezuelan boundary to arbitration. There are cogent reasons, some of which are set forth in Lord Salisbury's first dispatch, against that course ; but if it had been open to consideration Mr. Olney's arguments and Mr. Cleveland's proposals would have made the adoption of it impossible.

We must stand firmly and calmly upon our rights as an independent state, and if necessary take practical measures to assert them. It may even be expedient to settle the frontier question by drawing a line of our own ; of course there can be no thought of anything less than the Schomburgk line, and leaving the United States and Venezuela to deal with the matters as they may.

This was the line generally taken in England, and the situation became daily more threatening. On the day that article appeared the House of Representatives unanimously passed a Bill providing a hundred thousand dollars for the expenses of the commission, and a Bill was introduced into the Senate for strengthening the military forces at a cost of one hundred million dollars.

There was a heavy fall on the Stock Exchanges. And when *The New York World* sent an appeal to prominent politicians in England to speak a word of peace Mr. Gladstone's answer was singularly brief and cautious, and Mr. John Redmond, the leader of the Irish Nationalist party in the House of Commons, replied, " If war results from the

reassertion of the Monroe doctrine Irish national sentiment will be solid on the side of America. With Home Rule rejected Ireland can have no feeling of friendliness for Great Britain."

On January 2nd President Cleveland appointed his commission, and arrangements were made for prompt procedure with its work. Had our Government persisted in its claim that the Schomburgk line must be considered as the fixed and irreducible limit of the territory of British Guiana, and that no discussion or arbitration could be accepted as to anything within that line, we should in a few weeks have drifted into war, and a war in which we should have been in the wrong. I felt it my duty to say this; and said it as strongly as I could at meetings at York and at Accrington.

On January 7th, 1896, the annual meeting of my constituents was held at the Plymouth Guildhall; and there I gave a full account of the Schomburgk line, and of the attempts which had from time to time been made to settle the disputed boundary. A resolution was unanimously passed in a crowded hall that "this meeting while regretting the recent action of the President of the United States trusts that Her Majesty's Government will use every means to procure a peaceful and honourable solution of the long-standing controversy with Venezuela as to the boundaries of British Guiana."

I quote a few sentences from my speech:

With these facts before us it cannot be too late for a peaceful settlement of a question such as this. Each side must to some extent give way. We cannot under any circumstances admit the authority of the commission which has been appointed in the United States. We cannot under any circumstances recognise it, or take any notice of it or its decisions, or submit to any orders which may be given to us by the Government of the United States in fulfilment of that ill-advised message of President Cleveland. But on the other hand it is not reasonable for us to say that the line which we in 1840 laid down and communicated to

other Powers, and communicated to Parliament as being the limit of our claims to territory, is now to be considered a fixed and unalterable line, and to say that we will only arbitrate in respect to areas which are outside. That would be to take as unreasonable an attitude as the United States has taken in the message which President Cleveland has given. I hope that without taking any notice of the United States Commission, our Government will be able to resume the work of negotiation with Venezuela direct upon this matter. I trust that some mediator will be found, not to say between the two lines whether this line or that shall be accepted, still less to say that a particular place in dispute is to be divided as nearly as possible between the two, but some mediator who, looking on the whole history of the case, at the present condition of the Settlements in that country, at the natural delimitations which are to be found there and are indicated upon the map, will say, as between England and Venezuela, where the line should be drawn. I think that such a mediator may be found, and that his judgement may with honour be accepted by this country as well as by Venezuela. No doubt if that course is taken we shall have something to bear. We shall have to bear taunts and jibes from political opponents here, possibly from those who are not fond of England on the other side of the Atlantic. It will not be pleasant to be told that we have given way. It will not be pleasant to be told that, after such a message sent to Congress, Great Britain has consented to arbitrate upon matters upon which she had before refused. It will not be pleasant. But what of that? I do not believe in that false and bastard honour which is afraid to do justice because justice has been demanded with an insult or a menace. It is our business, especially in face of the fearful calamity that would be involved in an armed contest between this country and the United States, to make up our mind what is right in this matter. And when we have made up our mind what it is right to do, let us do it quietly, calmly, not caring what may be said of us, or what taunts may be uttered, but content that we shall have helped to preserve the peace of the world by that conduct which alone is worthy of a great nation, and shown our capacity to do right whatever the consequences or the provocation may be.[1]

[1] *Public Speeches*, 1890–1900, p. 80.

At the time I spoke at Plymouth, though I was not then aware of it, an agreement was being made by which the British Government withdrew the condition against which I had protested, and agreed to a free arbitration. By the award of the Arbitrators in 1899 Great Britain obtained no territory outside the Schomburgk line; while Venezuela obtained two portions of territory within that line, one unimportant, the other an important area at the mouth of the Orinoco upon which she had always insisted. My contentions were thus entirely justified; and although my speeches may not have influenced Lord Salisbury in taking the wise and statesmanlike course which removed all danger of war, I think they were of use in justifying that course to some of his followers as well as to his opponents.

This threatening cloud passed harmlessly away, and the severe but momentary strain in the relations between the two great countries left no evil effects.

But an incident which occurred at the very time when this strain was most acute, and then seemed of much less importance, was destined to have grave and far-reaching results. This was the Jameson raid into the Transvaal.

That enterprise failed. Dr. Jameson and his officers and men were made prisoners and sent to England, and while the troopers were allowed to return to their homes, the leader and a number of his followers were at once prosecuted for a breach of the Foreign Enlistment Act.

It was yet early in 1896 when Mr. Bourchier Hawkesley came to instruct me to appear for their defence. It was a case of great interest. I did not foresee that in its later consequences it would change the course of my public life and defeat all my hopes of political eminence.

The story had begun in the middle of the year 1894. Lord Loch went to Pretoria for the opening of the Delagoa Bay Railway, and the old President Kruger found himself sitting with the British High Commissioner in an open carriage over which the Union Jack was hoisted. Kruger knew what it meant. He knew that already in Johannesburg the Outlanders—English and German—were forming

schemes for overthrowing the Boer Government, and he saw that he had now to deal with an attack which would be prepared and engineered with the encouragement, and he believed the co-operation, of the English Government.

He immediately began to prepare for the conflict. In August of that year negotiations were carried on with various European firms for the supply of arms and ammunition, forts were built, and the bonds of discipline were drawn closer in the very ill-organised forces of the Republic. The Transvaal expenditure on services which included war expenditure was in 1894 £528,526; in 1895 it rose to £1,485,244.

Meanwhile the Outlanders' plans were steadily pushed forward; and in the latter part of 1895 they had the active help of the British Government. Bechuanaland was a British Protectorate, and there had been many disputes between the native chiefs and the Chartered Company as to territorial rights. A mission of the native chiefs came to England; and after many discussions at the Colonial Office, where Mr. Chamberlain was now in control, a settlement was effected. It was arranged that Montisoia should transfer to the Chartered Company a strip of land along the frontier of the Transvaal, and that possession of this strip, which included Pitsani Potlugo, should be given to the Company by November 7th. It had also been arranged that the British Bechuanaland Border Police, a military force which many young officers had joined, being seconded from their regiments for that purpose, should be disbanded. At Pitsani Potlugo they were enrolled in the forces of the Chartered Company, and Dr. Jameson was put in command. These arrangements, even if they were not made with a view to an attack on the Transvaal, clearly afforded the opportunity for such an attack being made.

The conspirators at Johannesburg were preparing for a rising in that town. They had plenty of money; and during that autumn large supplies of arms and ammunition had been smuggled into the district as machinery for the mines, and were safely stored there. But an actual rising at

Johannesburg without help from outside would have been too risky ; and the nearest point where a supporting force could be gathered was this very spot of Pitsani Potlugo, which was only 170 miles from Johannesburg, with no important town to be passed on the road.

Cecil Rhodes, the Prime Minister of Cape Colony, was the real mover in the matter ; and the preparations for an insurrection at Johannesburg, and the assembly at Pitsani Potlugo of a force which should support the insurrection and suffice to ensure its success, were made with the full knowledge of the English Colonial Office. In the middle of December these preparations were practically complete. Rhodes went to Cape Town, where Beit and Leonard were to await results. Sir Hercules Robinson was told that he must be within reach if the enterprise should fail, and his intervention should be necessary to prevent serious consequences to the conspirators ; and two regiments of cavalry were detained at Cape Town and Durban on their way between England and India in case they might be found useful. The English forces in South Africa had been strengthened.

Miss Flora Shaw (afterwards Lady Lugard) was the confidential agent of Mr. Rhodes in London, and had his cypher. She called frequently at the Colonial Office, and kept Mr. Rhodes informed of the opinions and wishes there expressed.

At Pitsani Potlugo Dr. Jameson quite honestly and truthfully told his officers and troopers that the advance they were making was in the service of the Queen ; and on December 29th about 600 men rode out from the border territory on the way to Johannesburg.

An attempt was made to stop them. A difference had arisen between Cecil Rhodes, who had agreed that the insurrectionary movement should be under the British flag, and some of the Outlanders, who wished to retain the flag of the Transvaal Republic.

On December 28th a telegram was sent from Cape Town to Dr. Jameson—" It is absolutely necessary to delay flota-

tion. If foreign subscribers insist on floating without delay anticipate complete failure "—and the leaders at Johannesburg assumed that it would be acted on. But news had come to Dr. Jameson that small parties of armed burghers had been observed on roads near which his route lay. He believed that his reserve of horses and stores at Malmani and Doornport had been discovered, and that if he did not start then the whole project must be abandoned; so he rode forward.

An accident, or the blunder of a drunken trooper, which proved very fortunate for Mr. Chamberlain, prevented the cutting of the wires at Pitsani Potlugo, and a telegram which was not expected to be delivered was sent ordering Jameson to return. It was delivered but not obeyed; and Dr. Jameson and his men, having changed horses on the way, arrived at Krugersdorp on January 2nd. Here a slight engagement was fought; but the expedition got past the hills where the Boers were posted, and, being within seventeen miles of Johannesburg, could have reached that city without difficulty, but that they heard firing to the north of the hills where the fight had taken place. The leaders thought it possible that their friends at Johannesburg had come out expecting to meet them on the northern road, and they waited for four hours to ascertain what the firing meant.

That delay was fatal. When they tried to move forward they found themselves surrounded by a force which made surrender imperative. They surrendered on a promise that their lives should be spared; and the Jameson raid was over. Its chief immediate result was that it provoked from the German Emperor, who knew or guessed the real facts, a telegram to President Kruger which treated the Transvaal as an independent State. There was a growl of indignation in England. With admirable promptitude a strong flying squadron was dispatched to the Southern Seas. And a great increase in our naval expenditure reminded the Kaiser that in the then condition of his fleet Germany could only play a subordinate part in the politics

of the world. From his resentful consciousness of this fact many momentous results have flowed.

When the prisoners arrived in London I had the pleasure of making the acquaintance of Dr. Jameson, an acquaintance renewed and strengthened ten years later when he, who in the circling wheel of political change had become Prime Minister of Cape Colony, received me as his guest at Groot Schoor.

I never met a man whose noble nature shone so strongly through all the sayings and doings of a simple and unaffected life, and compelled the respect and affection of all who came in contact with him. He was " as the greatest always are, in his simplicity sublime."

He talked quite frankly about the happenings in the Transvaal. About the consequences to himself he seemed absolutely indifferent ; all his concern was for the men who had followed him, and so been led into the adventure for which they were now to be tried.

He was very much relieved when it was announced that only five of his officers would actually be included with him in the prosecution. The proceedings at the Bow Street Police Court were almost formal.

I was of course shown all the messages and letters which had passed between London and South Africa, and between Johannesburg and Cape Town and Pitsani.

But I received definite instructions that no question was to be asked, or any fact elicited, that might suggest that any department or official of the British Government knew of the preparations for the enterprise, or was directly or indirectly responsible for it.

The trial at the Royal Courts came on in the last week of July and lasted for five days. It was a trial at Bar before three judges, Lord Russell, the Lord Chief Justice, presiding, and being supported by Baron Pollock and Mr. Justice Hawkins. Sir Richard Webster, as Attorney-General, prosecuted, with Sir Robert Finlay, the Solicitor-General, and Henry Sutton, C. W. Mathews, Horace (now Mr. Justice) Avory, and Rawlinson as his juniors. I

defended Dr. Jameson, Carson (now Lord Carson), C. F. Gill, and Alfred Lyttelton being briefed with me; and Sir Frank Lockwood and Wallis and Roskill defended the other prisoners.

The trial was conducted with great dignity by the Lord Chief Justice. At the Bar Charles Russell had been one of the most powerful advocates of his time. His industry and energy and shrewd and rapid judgement made him always a very formidable opponent. And they were greatly helped by his personal advantages. A commanding presence, a full clear resonant voice, a flashing eye and imperious gesture, often bore down opposition, and unnerved the witness he was cross-examining, or a young counsel who was appearing against him, and sometimes even the judge. When he had a very strong case and felt certain of winning he was superb. But if difficulties unexpectedly arose he became impatient and irritable, and would often compel a reluctant client to an unsatisfactory compromise.

When he became a judge the faults of manner and temper which had prevented his being very popular at the Bar gradually disappeared. His death at the age of sixty-eight was a national calamity; for he was then a judge of the highest class, just, painstaking, and courteous, sound in learning, and resolute that right should be done. I have no doubt that if he had been spared for ten years longer he would have ranked among the greatest of English judges.

The Jameson trial was not very interesting. There was no dispute about the facts; and as my instructions precluded me from taking the line of defence which would certainly have been successful, my chief concern was with certain important questions of law upon which I felt sure that the ruling of the judges would be against me, although I was confident of success when they should be argued before a higher court.

Dr. Jameson did not expect to be acquitted, and I think he did not desire it. He was quite willing to bear any penalty, and was hopeful that his condemnation and punish-

ment might avert serious mischief in South Africa, and possibly in England.

The summing-up was careful, dignified, and quite fair; but at its close the Lord Chief Justice made a strange departure from the proper and well-established practice of our courts. Instead of contenting himself with recapitulating the evidence and directing the jury as to the law, and then leaving to them the responsibility of the verdict, he asked them to answer certain questions of fact, and then upon their answers directed them to find a verdict of guilty. I protested, but the Chief would not suffer any interference. Sir Richard Webster, who felt as strongly as I did the impropriety of the judge's action, has since (in his volume of recollections) said that I missed a great opportunity, and expressed his surprise that I did not more firmly insist on my protest being listened to. It may be that the criticism is just; but I do not now see what good purpose would have been served by a violent scene in court, or by my calling on my colleagues to retire with me from the court. The protest, however, was not wholly ineffective. I am not aware that the evil precedent then set has ever been followed, either by Lord Russell himself or by any other English judge.

The verdict of "Guilty" was with some little difficulty obtained; and then the question arose of arranging for the argument of the questions of law. This, however, Dr. Jameson absolutely refused to permit. He told me that he had made all arrangements for going off to prison; his portmanteau was packed, and he did not wish any more discussion about it.

Five years later there was a curious echo of the Jameson case. Speaking in the House of Commons on March 9th, 1901, Mr. (afterwards Sir) Arthur Markham made a violent attack on Messrs. Wernher, Beit & Co. He was challenged by Mr. (afterwards Sir) George Lewis, writing as their solicitor, to repeat his accusations where they would not be sheltered by parliamentary privilege, and he promptly did so.

Speaking at the Victoria Hall, Mansfield, on May 7th, he said, " I charge Mr. Arthur Beit and Messrs. Eckstein with being thieves and swindlers in connection with the part they have played in financial operations in South Africa." An action for slander was brought at once ; and in due course the defendant pleaded that his statements were true, and gave particulars of justification.

These particulars contained no allegation of any dishonest action of the plaintiffs in their financial transactions ; but dealt in vague terms with the political affairs of South Africa, and the part Messrs. Beit had taken in financing the Chartered Company.

The fifth paragraph of the particulars was the most important. It stated that towards the end of 1895 the plaintiffs became " prime movers in and instigators of acts of armed hostility against the South African Republic." It was a serious position for others besides the defendants. Mr. Beit came to my chambers with Mr. Hawkesley for consultation. They told me that if the particulars stood it would take a staff of clerks six months to arrange the documents in their possession which would have to be disclosed in their affidavit of documents. But much more important was the fact that they had, and would be obliged to disclose, the originals or copies of the telegrams which had passed between London and South Africa or between Cape Town and Johannesburg at the time of the Jameson raid ; the telegrams the production of which before the House of Commons Committee had somehow been avoided.

I advised an application to strike out these paragraphs of the particulars as irrelevant and embarrassing. Master Archibald refused to strike them out. Mr. Justice Jelf affirmed his decision.

Then we went to the Court of Appeal, and had a stiff fight before Lord Esher and Lord Justice Stirling. Roskill was with me for the plaintiffs, Rufus Isaacs and Norman Craig on the other side. Judgement was given in our favour. Lord Esher said " Paragraph 5 amounted,

shortly stated, to an allegation that the plaintiffs made political agitation subservient to their personal interests.

" That was not the charge which the defendant made in his speech, and it was not in respect of any such charge that the action was brought."

All the particulars of this kind were struck out.

No further appeal was made. Mr. Markham withdrew his charges and apologised, and the action was withdrawn. What was done with the telegrams I do not know, but I have no doubt they soon passed out of the possession of Wernher, Beit & Co.

My grateful clients paid me a very pleasant and graceful compliment.

At that time I was busy as President of the City of London College in raising funds for the extension of the College premises. Without any communication with me Messrs. Wernher, Beit & Co. sent to the treasurer of the fund a cheque for a thousand guineas.

CHAPTER XXVI

A PRIVATE MEMBER: 1896–1899

When I came back to parliamentary work at the beginning of 1896 I took my seat on the second bench above the gangway, just behind my leaders. For the next four years I had a very pleasant position in the House. My leaders, with one exception which I will mention later on, were very friendly, and constantly let me into consultation with them on Bills or motions that were under discussion.

I did not speak often, but the Speaker gave me all the opportunities I desired, and although after enjoying for nine years the close and pleasant companionships of a front bench, I found the position of a private member rather dull, there was some compensation in not being compelled to constant attendance, and in being quite free to absent myself from a debate, or to pair for a division. And the authorities of the House were good enough to continue to me the valuable privilege of having a private room in which I could do my legal work.

This largely increased. It appeared that the knowledge that I was free from official duties brought me more clients; and no doubt the fact that Webster and Finlay were now withdrawn from private practice had something to do with it.

Towards the end of the year 1896 a new subject, and one which seemed to me of great importance, was brought under public discussion, and I gave much time and labour to its study. It was the financial relations between Great Britain and Ireland. After the failure of Mr. Gladstone's Home Rule Scheme in 1893, the Liberal Government appointed a Royal Commission "to inquire into the

Financial Relations between Great Britain and Ireland and their relative taxable capacity." It was a commission which consisted almost entirely of members of the Liberal or Nationalist parties, the Unionists having refused to serve, and was probably intended to assist in some way in the revival of the Home Rule Scheme. But for the examination of the questions of financial fact which it was directed to consider it was a very strong commission. Mr. Childers, Lord Farrer, Lord Welby, and Mr. Bertram Currie were among its members, and Sir Edward Hamilton and Sir Robert Giffen were among the chief witnesses called.

The commissioners with practical unanimity set forth in their report the following conclusions:

1. That Great Britain and Ireland must, for the purpose of this inquiry, be considered as separate entities.

2. That the Act of Union imposed upon Ireland a burden which, as events showed, she was unable to bear.

3. That the increase of taxation laid upon Ireland between 1853 and 1860 was not justified by the then existing circumstances.

4. That identity of rates of taxation does not necessarily involve equality of burden.

5. That whilst the actual tax revenue of Ireland is about one-eleventh of that of Great Britain, the relative taxable capacity of Ireland is very much smaller, and is not estimated by any of us as exceeding one-twentieth.

Upon the publication of this Report there arose an agitation in Ireland which was remarkable for the fact that Home Rulers and Unionists, Roman Catholics and Protestants, all classes and all ranks, were in agreement.

I carefully studied the two volumes of evidence published with the Report, and satisfied myself that these conclusions were fully proved. And it appeared to me that a great opportunity was offered to the Unionist party for redressing a grievance for which Mr. Gladstone was chiefly responsible, and giving a conspicuous proof that Ireland could safely trust to the justice of the Imperial Parliament. So I devoted to this subject the whole of my annual address

to my constituents on January 4th, 1897. I said at the close of that speech :

We are told—I see it every day—that such contentions as I have been discussing to-night, and as I have to some extent endorsed and supported, lead straight in the direction of disintegration or Home Rule. I am of precisely an opposite opinion. In my judgement it is essential to maintaining our position as Unionists that we should be prepared to listen to complaints of this kind, and should be prepared to remedy them if we find an injustice has been done. We owe justice to all. We owe that justice, strict and scrupulous justice, to the stranger ; and to one of our own household and family we owe something more than justice—we owe the most generous consideration, the most anxious care to see lest there should have been any wrong done, the most determined resolution to remedy the wrong if wrong there be ; and I do not think we should be diverted from that course of honour and of duty even if our poorer sister who complains that injustice has been inflicted upon her is somewhat querulous, and somewhat unfriendly in the tone of her complaint." [1]

The opportunity was unfortunately thrown away. The Government declined to accept the conclusions I have just set out, and announced that another Royal Commission would be appointed. The terms of reference to that commission were published. They were clumsy and obscure, but practically covered the same ground as had already been explored. The Irish members thereupon claimed and obtained an opportunity for debating the whole question, and on March 29th, 1897, Mr. Blake moved, " That in the opinion of this House the Report and proceedings of the Royal Commission on the Financial Relations of Great Britain and Ireland establish the existence of an undue burthen of taxation on Ireland which constitutes a great grievance to all classes of the Irish community and makes it the duty of the Government to propose at an early day remedial legislation."

Sir Michael Hicks-Beach, as Chancellor of the Exchequer,

[1] *Public Speeches*, 1890–1900, p. 96.

vigorously opposed the motion, but declared that he desired to do full justice to the claims of Ireland under the Act of Union, but needed further information and more time for consideration.

I spoke at some length on the second night of the debate. Indeed it was the longest speech I ever made in the House of Commons, and lasted nearly two hours; but the subject was complicated, and needed full as well as careful treatment. I maintained the contentions I had put forward at Plymouth, and insisted that no new commission was required; that the facts had been ascertained; and that the question of remedy was one for the House and the Government, and not for any Royal Commission.[1] After three nights' debate the motion was defeated by 317 to 158, a strictly party division.

The proposed new Royal Commission was not heard of any more.

The grievance which then existed has been to some extent mitigated, though not wholly removed, in later years; indeed in 1898 the passage of the Irish Local Government Bill was assisted in the usual way by a dole of three-quarters of a million in relief of rates. But I have always regretted that occasion was not taken then to adjust fairly the financial relations between the two countries with the help of Irishmen of different parties who might have been brought into direct and responsible relation with the English Government.

But in 1897 the Government had a larger majority than had been known since the passing of the Reform Bill of 1832, and it was believed that Home Rule had been finally defeated.

Sir Michael Hicks-Beach was very angry at my speech. He had never been very friendly, and always resented my incursions into financial questions. He knew that I was not a sound Free Trader in the sense of the Manchester School, and on one occasion when I had been to Sheffield in 1892, making an election speech for my friend Bargrave Deane, he complained of my advocacy of Fair Trade, and spoke

[1] *Selected Speeches*, p. 91.

contemptuously to Mr. Mundella of lawyers who thought they knew something about trade. Our relations were somewhat strained after the speech on Irish Finance.

I spent the autumn of that year at Thorncote, for although the Long Vacation had begun parliamentary duties prevented my leaving England, and at the end of September I received the following letter:

Private

HATFIELD HOUSE, HATFIELD, HERTS,
September 30th, 1897.

DEAR SIR EDWARD,

It is possibly known to you that Lord Esher has intimated that he cannot resume his work in the Courts of Appeal after the Vacation. In view of some communications which passed between us with reference to vacancies which might take place within two years, you will probably expect that this preface will be followed by a statement that I have offered the Mastership of the Rolls to Webster, and should be happy to nominate you for the Attorney-Generalship. I have made the offer to Webster—but he has declined.

All therefore that I can do, in pursuance of our understanding, is on the principle of *cy près*, to ask if you will undertake the Mastership of the Rolls. How such an offer will strike you of course I cannot judge. It is enough for me that your eminent ability and your indisputable position at the Bar entirely authorises me to submit the proposal to your judgement.

Yours very truly,
SALISBURY.

I had no hesitation in declining the offer, and sent my answer on the day I received it.

DEAR LORD SALISBURY,

I am naturally much gratified by receiving your kind letter this morning with the offer of the great dignity of the Mastership of the Rolls. It is a great honour to have been thought worthy of filling so high a judicial post, and the pleasure of receiving such an offer was much enhanced by your very kind expressions with regard to myself. You have certainly more than fulfilled the promise you made

two years ago. But tempting as in some respects the suggestion is, I feel that I ought to decline it. The great loss of income which its acceptance would involve cannot of course be left wholly out of consideration, but it is not this which determines my reply.

To accept a purely judicial office would at once shut me out from that part of the work of my life which gives me most interest and pleasure. The House of Commons is, of course, less attractive than it was when I sat on the front bench and there enjoyed the constant association with those who were engaged in the conduct of public affairs. But whether in office or not, I hope for some years to come to retain my seat in the House, and there to be able to render some service to you and to the party which is proud to follow you. If at any time a vacancy should occur for an English Law Lord, and you thought me worthy of the post, I would accept it with pleasure, as I should still be able to take part in those public affairs which are not essentially of a party character. But for the time being I am content to remain at the Bar, and I have the satisfaction of knowing that there are others better fitted than I for the dignity and responsibility of judicial office, which for these reasons, and with every acknowledgement of your personal kindness, I beg to decline.

I am, dear Lord Salisbury,
Very faithfully yours,
EDWARD CLARKE.

I have never regretted my refusal, though in later years I felt some disappointment at receiving no further offer of judicial dignity. When I spoke of others better fitted than I to fill the post I was thinking chiefly of my old friend Mr. Justice Lindley, and a little later I was delighted to hear that he had been appointed. He brought to the discharge of his difficult duties patience in listening, clearness of thought, and firmness of judgement; and a knowledge and experience far larger than mine of the doctrines and practice of the Equity Courts. I have no doubt that the public service gained by my refusal.

I need not give any narrative of my doings during the four years which followed my refusal of the Mastership of the Rolls.

My professional income continued steadily at the very high level which it had reached, and when the courts were sitting I had very few hours of leisure.

There was little political excitement. In the House of Commons everything was quiet. In presence of so strong a Government majority the Liberals and the Irish Nationalists were alike helpless. The Irishmen were divided into two discordant groups; no successor had been found to Parnell, Blake was a failure, and Redmond had not yet made good a claim to leadership. During these four years there was a steady course of useful legislation, and I had the pleasure of helping to carry into law four measures in which I had long been interested. One of these was the Irish Local Government Act, which I had mentioned in my Southwark Address in 1880 as the first of the constructive measures which were required for improving the condition of Ireland.

For the other three I had been working in and out of Parliament for many years.

When I came back to the House of Commons after my temporary exclusion in 1880 I found the House discussing an Employers' Liability Bill, and the first speech I made as member for Plymouth was an attack on the judge-made doctrine of common employment which had done so much to deprive working men of the benefit the legislature had intended to give them. In 1888 we had tried to pass a Bill on this matter. It was read a second time, and then went to a Grand Committee, where Home Secretary Matthews and I were busy many days in discussing the clauses with quite satisfactory results.

Then it came back to the House, and was opposed and at great length discussed. The session was nearing its end, the pressure of work was great, and all the time we had spent on it was thrown away through the foolish rule which treats as waste paper all the work that is not finished in a single session.

In 1893 the Liberal Government passed a Bill through the House of Commons and then tore it up in a fit of temper

because the House of Lords insisted on a perfectly reasonable amendment on which the House of Commons had been almost equally divided. Speaking at Plymouth in 1895, I said that we should not think so much of Employers' Liability as of Workmen's Compensation, and expressed my hope that a Unionist Government would bring in a Workmen's Compensation Bill which would secure compensation to all workmen injured by accidents in the course of their employment, without all the appeals and all the expense which had retarded the Act of 1880.

In 1897 Mr. Chamberlain brought in and passed such an Act, and I gave him all the help I could. When the Bill came on for second reading there was some opposition from our own side, and I made the strongest speech I could in favour of the measure. Mr. Chamberlain was delighted, and paid me an unusual compliment. When I sat down he left his place on the front bench, came and sat down beside me, cordially shook hands, and warmly thanked me for what he called a great service.

In my Southwark Address I had set out as one of the matters upon which I hoped I might usefully assist in the work of legislation the removal of the rule which prevented a person charged with crime from giving evidence on his own behalf and would not permit his wife to be called as a witness, and I had lost no opportunity, since that address was written, of denouncing that rule as mischievous and unjust.[1] This simple and obvious reform had been accepted by the House of Commons in 1870; it had the support of the leading lawyers on both sides of the House; but it took twenty-eight years to carry it. At last in 1898 the Bill passed into law, and I hope the speech I made upon the second reading helped to swell the majority which then supported it.

An experienced and friendly critic (Mr.—now Sir Henry—Lucy) said it was one of the best speeches I had ever made in the House of Commons.[2]

[1] See *Public Speeches*, 1890–1900, p. 25.

[2] *Graphic*, April 30th, 1898; see *Spectator* of same date.

There was yet one measure in which I took a very special interest. I had for years been busily engaged at the London Municipal Society upon the subject of London Local Government. And ever since the year 1883 I had been in close and constant touch with the Special Committees of the Corporation which, under the able leadership of Alderman Faudel Phillips, and Mr. (now Sir) Homewood Crawford, had from time to time examined and reported upon the various schemes brought forward for the reform of London Government; schemes which, when they came from the Liberal side, always involved the practical destruction of the authority and privileges of the City Corporation.

Indeed in 1895 I had a good deal to do with the preparation of a Report of the Special Committee which not only criticised the methods and combated the conclusions of the Courtney Commission, but, as *The Morning Post* said, "contained a complete plan for the completion of the Local Government of London."

That plan was in substance carried out by the London Government Act, 1899.

When that Bill came on for second reading a formal attack was made upon it by the Opposition, and Mr. Herbert (now Lord) Gladstone moved an amendment condemning the Bill because it failed "to simplify and complete the existing system and rendered more difficult the attainment of the unity of London." The amendment was in substance an attack upon the City, and I rejoiced to have an opportunity in the second night of the debate of vindicating the great Corporation of whose tradition and dignity and efficiency I as a citizen born and bred was very proud.[1] When that Act was placed upon the Statute Book the chief objects which had kept me busy in Parliament for many years had been accomplished, and my parliamentary life appeared to pass into a quiet phase.

It was not to last long, and there was a stormy time before its close.

[1] *Selected Speeches*, p. 242.

CHAPTER XXVII

THE WAR IN SOUTH AFRICA: 1899–1900

Soon after the courts rose for the Long Vacation in 1898 I went off with my eldest son for a trip in the P. & O. steamer *Lusitania* to the northern capitals—Copenhagen, Stockholm, and St. Petersburg. It was a delightful trip, full of interest, and included four days spent at Moscow, and on the return journey an interesting passage through the lately opened Kiel Canal.

At the annual meeting of the Plymouth Conservative Association on October 11th I gave an account of a very notable event which had happened in Russia just as we reached its northern capital.

The first and principal part of my holiday this year was given to a trip to the Baltic, and when I left England on August 17th there were apprehensions abroad with regard to the relations of this country with Russia, especially in connection with transactions that were taking place in China—relations of this country towards Russia which could scarcely be described as peaceful relations, and appeared to many to indicate the probability of war. While we were on the seas the clouds darkened. When I reached Stockholm we heard of strong language and strong action by our representative at Pekin which seemed to make it very probable that serious difficulty would result; and when, on the morning of the last day in August, we steamed in among the forts of Cronstadt we had some expectation that news might reach us which would disappoint, even at the last moment, our hope of seeing St. Petersburg. Fortunately that apprehension proved to be unfounded, and not only was there no declaration of war between the two

countries, but on the very day on which we had entered the roadstead at Cronstadt the Russian Emperor had taken a step which I hope and believe may, with the assistance of the statesmen and the peoples of Europe, lead to a great benefit to the world at large. He invited the nations of Europe to confer together as to the means of checking that great increase in their armaments which is casting so heavy a burden upon the peoples, and upon the industry of European countries. He took a notable occasion for issuing that invitation to peace. He chose the occasion on which he was opening in Moscow the memorial to the great Emperor Alexander II, who in 1861 gave freedom to thirty-five millions of people by the emancipation of the Russian serfs. The opening of that monument to Alexander II was in itself a notable event in the history of Europe. The scene, the circumstances of that memorial, were in themselves remarkable. On the brow of the hill which rises steeply from the river at Moscow there stands the ancient Kremlin, a town within a town. Its walls, two miles in circuit, enclose arsenal, palaces, and convents, the wealthiest treasury that the world has to show, and the richest shrines ever dedicated to Christian worship. And the Kremlin crowns with its splendour the manifold beauties of that strange city. As you stand upon the hill and look out over Moscow, there rise from wondrous fields of dark green roofs the gold and purple glories of spire and dome; and there, at the spot which is associated with all that is most strange and remarkable in Russian history, the Emperor inaugurated the splendid monument, not unworthy in its grandeur of the glories of the Kremlin itself, to Alexander II, who had conferred this great benefit upon the world. It was a remarkable occasion. I believe myself that what this Emperor has done in 1898 may be an act fuller in blessing and benefit to the world than even the great emancipation of the serfs of Russia in 1861. It is an invitation to the nations to consider how far they are to go on in the rivalry of expensive armaments—how far it is possible to substitute Christian statesmanship for this extravagant and wild rivalry of military and naval expenditure."[1]

The appeal of the Czar was not wholly neglected. A conference took place at the Hague. The question of a

[1] *Selected Speeches*, p. 277; *Public Speeches*, 1890–1900, p. 124.

limitation of armaments was scarcely discussed; but some minor resolutions were passed, and one important one was unanimously adopted—that a permanent tribunal of nations should be established in Europe to which when controversies arose between them the questions in dispute should be referred for arbitration. That proposal of arbitration was made by the representative of Great Britain. How utterly worthless the declaration was, was shown by the conduct of the British Government and the British people within six months of its adoption.

Meanwhile a singular incident induced me to make a speech which seriously displeased a section of my constituents.

I was as usual spending the first week or two of January among them, and had undertaken to propose the toast of "The Port of Plymouth Chamber of Commerce" at the annual dinner of that chamber, which was fixed for January 5th, 1899.

On the morning of that day there appeared in the newspapers a manifesto of the Cobden Club which must have made the peace-loving founders of the Manchester School shudder in their graves.

It said:

> The Cobden Club should so extend the work it has hitherto pursued as to include within its scope a vigilant observation of the foreign policy of the Government and an effort to secure the constant acceptance of the views which are here defined. . . .
>
> That in any country now passing under the control of a foreign power where England had already established commercial interests she should insist upon the policy of the open door.
>
> She can assure France or Russia or Germany that while she willingly recognises the absolute right of each of them to fix whatever tariff suits them in their own countries, where whatever interest British subjects may have has grown up under their laws and government, she yet cannot recognise that they have a similar right in countries now passing under their control, and where Englishmen have already established interests. She can honestly say to

those countries, " We do not seek to enforce this as a right in our own case, and we dispute and must continue to dispute your claim to do so."

That evening in a speech which I reprinted under the title of *War for Commerce* [1] I made my protest against what I described as " the very dangerous tendency to look to force as an agent of the commercial interests of this country." I declared that the idea which was lately gaining ground of the necessity of increasing the extent of our territorial possessions in order to increase the volume of our trade was an absolute mistake, and I added :

But I want to go a step further than this. So far as I can judge of facts and figures, it is not simply that there is no such profit to be got by taking up claims or by defending the " open door " at the cost of war, as some people will think. But if it were true that we could to our own profit extend our commerce by force—by war—I should denounce the doctrine that we had a right to do it as a wicked doctrine. The only legitimate weapons of commercial warfare are bounties and tariffs ; a refusal to deal with people who will not treat you fairly, the giving of special benefits to those whose industrial prosperity will be useful to yourselves. You may, if you like, distrust or despise those weapons. If you refuse to use them, you must rely, and can only rely, on the natural advantages of your country, and upon the character, and the intelligence, and education of your people. It is amazing to me to note that men who have stood by unmoved whilst important British industries were being destroyed and flourishing British colonies were being ruined, and have refused to do anything to help them because the simple and just remedy of an intercepting duty would vex their economic orthodoxy as Free Traders, should at this moment apparently be prepared to embark on a commercial policy which means not advancing the welfare of the country, but hindering it and crippling it by adding the penalties and extravagancies of war to the work we are doing throughout the world. I have indicated the methods of commercial warfare which, I believe, are the only methods that are

[1] *Selected Speeches*, p. 290 ; *Public Speeches*, 1890–1900, p. 131.

legitimate, and I protest that if you pass beyond those methods of commercial warfare, and seek to extend the area of your commerce by the use of Maxim guns and Lyddite shells, and all the devilish contrivances of modern war, you are embarking on a policy which is a crime in ethics as well as a blunder in policy. "War for commerce" sounds a very innocent phrase, and may be allowed to pass. "Murder for gain" has an uglier sound, but it as truly represents the course of the policy which I denounce to-night.

I was soon made aware of the dissatisfaction with which my speech was heard and read. I was not surprised, for in my closing sentences I had pointed out that

Plymouth, lying as it does close to the great harbour associated with the naval and military strength of the country, might seem the most likely place in which these mischievous doctrines might find their acceptance.

And knowing this I felt myself bound to repeat my protest with all the emphasis I could give it when four days later I stood before a great audience which crowded the Guildhall.

I had then no idea that it was the last time I should speak in that splendid hall to the constituents whom for nearly twenty years I had been proud to represent, but as I now quote the final passage of that speech I can almost think that I had some premonition of the future.

I have spoken strongly in Plymouth this time with regard to this matter. I am entirely indifferent to criticism, and comments which are made upon me with regard to speaking thus, when my speaking is for the moment not in exact accord with the present popular feeling. I am quite careless of that. As the time goes on you will have plenty of men to speak to you whose voices are simply the echo of what happens to be the wish of the crowd at the time. At all events you have not that in me. It has been my privilege to speak to you for many years. I have not said anything to you which I did not say with my whole heart, expressing in it my judgement--my independent judgement

—upon public questions. Now I only wish to express the hope that as we go forward in the work of Parliament, doing that work which is necessary for the good government and welfare of the country, we shall be supported by the people, resolved to do their duty to the world, as a nation, to do that duty steadily and unflinchingly, flinching from no sacrifice that is necessary to enforce their right, but shrinking from any action that will imperil the cause of peace unless that action be demanded by the strongest bonds of national honour and national duty.[1]

During the early part of this year the difficulties with the Transvaal were rapidly becoming more serious. Little was known by the public, who for the most part had great confidence in Mr. Chamberlain and Sir Alfred Milner, who themselves believed almost to the last moment that there was no real danger of war, and that President Kruger would yield to all their demands as soon as he could be brought to believe that this country was in earnest.

The diplomatic correspondence of the Colonial Office was curiously dilatory and unconciliatory, but the Government seemed to have little uneasiness, and no important military preparations were made. In fact but for an accidental meeting between Sir Redvers Buller and Lord Salisbury's private secretary no serious preparations would have been made at all. It is true that Mr. Chamberlain saw Sir Henry Campbell-Bannerman and asked him as Leader of the Opposition whether he would support the sending of twenty thousand of our troops to the Cape, but he explained that he did not think there would be any fighting, and that it was part of a policy of bluff. Certainly when I left England for my autumn holiday there was no general expectation that the disputes would result in war.

I went again to Russia. The trip with my son in the previous year had been so pleasant that I wished my wife to see the splendours of Moscow and St. Petersburg, and the beauties of Stockholm and Christiania and Copenhagen. There was then no cloud over our political relations with

[1] *Selected Speeches*, p. 15; *Public Speeches*, 1890–1900, p. 123.

Russia, but when we were passing the Cronstadt forts, and the customary strict investigation was made of the list of passengers, the inspecting officer pointed out that I had come there in the previous year, and expressed some curiosity as to my reasons for so soon repeating the visit.

We had some very interesting fellow-passengers. The Dowager Duchess of Cleveland was one of the most delightful—a dear old lady, full of vivacity and charm. But the two with whom I spent most of my time on board ship were Sir Robert Herbert and Sir Andrew Clarke.

If I had had the choice of my companions on the trip I could not have chosen two more pleasant and more valuable than these two distinguished men. Sir Robert Wyndham Herbert, a gentleman by birth and character, after a brilliant career at Oxford, entered the Civil Service and rose to its highest rank. From 1871 to 1892 he was Assistant Under-Secretary at the Colonial Office. He was described by Mr. Chamberlain in one of his interruptions of my speech in the House of Commons as " the only person living who knows really intimately the history of the whole of this (South African) question."

Sir Andrew Clarke was the great military engineer to whose genius and energy we mainly owe the great docks at Chatham, and Portsmouth, and Queenstown, and Keyham, and Malta, and Bermuda, who knew many colonies and was as experienced in civil administration as in military organisation, and was rich in the varied knowledge which made his conversation a privilege and a delight.

With these two distinguished men, both exceptionally well qualified to form a sound opinion, I had long conversations on South African affairs. I found both of them gravely uneasy. They were both apprehensive that war was coming, and were keenly alive to its difficulties. Their chief ground of anxiety did not in fact when war actually broke out prove nearly so great a danger as they feared. They knew that there was always a great deal of unrest among the native population, and were disposed to think that there was great probability of a general native uprising

in the event of a war between the two white races. Of course I did not ask Sir Robert Herbert any questions about the affairs of the Colonial Office, nor did he give me any information, but we discussed freely the facts which were known to the public, and when I returned to England at the end of a four weeks' trip I came back with much anxiety as to the future, and a resolve to do all that might be possible for me to assist in averting the calamity of war.

When we returned in the middle of September, Lady Clarke and I went to Sherborne Castle on a few days' visit to my friend Mr. Wingfield Digby. I studied with great care all the official papers published during my absence, and on September 19th I wrote a letter to *The Times*, which was published the following day.

SIR,

After carefully reading this morning the latest dispatch of the Government of the South African Republic, I turned to your leading article, and was greatly surprised to find it described as "unbending and unconciliatory in tone" and in substance "a complete rejection of the British demands." It seems to me that this is an inaccurate description, and one which will seriously mislead the judgement of the great majority of your readers, who will probably not take the trouble to read the dispatch itself and to examine it in its relation to the previous correspondence.

I do not, however, ask you to allow me to discuss in your columns the present situation of the Transvaal controversy. I can find an appropriate opportunity of doing that when I address my constituents next week. But I beg you to allow me to call attention to a very serious question which at once arises if the Government takes the same view as you do of this dispatch.

You say that Her Majesty's Ministers must now reconsider the whole position, and you add: "A fresh Cabinet Council will, of course, be summoned within the next few days, though possibly Ministers may not on that occasion finally shape those proposals of their own for a final settlement which they now stand pledged to formulate."

Now, sir, if this course be taken, and if Ministers, as you suggest, treat this dispatch as "necessarily and irrevocably

closing the chapter opened at the Bloemfontein Conference," their first duty will be to advise Her Majesty to call Parliament together at once.

I cannot imagine it possible that they would take the responsibility of advising the Crown to declare war against the South African Republic, in enforcement of a policy which has not yet been announced or even formulated, without taking the proper means of ascertaining whether that policy has the approval and support of the people of the United Kingdom. There may be reasons, not yet apparent, which would justify war with the Transvaal, but we have a right to know them before we are committed to such a war.

Faithfully yours,
EDWARD CLARKE."

SHERBORNE CASTLE, SHERBORNE, DORSET,
September 19th, 1899.

Then I went on to Plymouth to attend the meeting of the Conservative Association, which was usually held at the Royal Hotel, but had now to be transferred to St. Andrew's Hall in consequence of the great demand for tickets. There I found myself, on the evening of September 28th, in presence of a crowded audience which for the first time in my experience of Plymouth Conservative meetings was restless and uneasy, and even at times disposed to be tumultuous. A London newspaper proprietor who had been attending a wedding breakfast that day was the most prominent of the interrupters. The excitement was owing to the fact that a few days earlier the Executive Council of the Conservative party had passed a resolution which was officially communicated to me expressing a very definite approval of the course which the Government had been taking in recent South African affairs. It appeared to be generally believed that this was intended as a censure upon me for my letter to *The Times* and an expression of want of confidence in the course that I was taking upon this question.

At the opening of my speech I said:

I really do not know whether in the minds of those who proposed that resolution and carried it there was any

such intention, and, of course, I should not ask questions upon the subject. But the fact that it was passed leads me to make, here and now, a very definite statement. If my constituents disapprove of the course I have taken in writing that letter to *The Times*, or if they disapprove of the opinions I express upon a great public question to-night, I hope they will have another meeting of the Conservative Executive in the course of next week, and, if they disapprove of my action, will tell me so. I have not the least desire to speak in Parliament in the name of those who do not agree with my opinions, and if next week—I was going to say to-night, but perhaps a little reflection might be desirable—if next week a resolution should be passed by the Conservative Executive disapproving of the course I am taking, I shall within twenty-four hours resign my seat for Plymouth—and I will pledge myself not to embarrass the party by which I have been so long supported. I would not stand at the by-election which would follow on my vacating the seat, for I will never condescend to get a seat in Parliament by the votes of those who have been opposed to me outvoting my supporters. There is no question of temper, or of hurt feelings, or anything of that kind in the matter; only I want to make it perfectly clear that I will not represent a constituency in which my political supporters disapprove of the course I am taking, and it is entirely in the hands of the Conservative Association to end, if they please, my political connection with Plymouth next week. I think it desirable to make that perfectly definite statement, because the moment it is made I am going to address you precisely as if no such resolution had been passed.

Then I turned to an account of the correspondence which had passed between the Colonial Office and the Government of the Transvaal since the date of the Jameson raid, and after a full and careful examination of that correspondence I said,

I refuse to believe that the Government, which has served the country so well in the cause of peace, will now allow a clumsy correspondence to issue in an unnecessary war.

Again I hesitate to quote further from one of my old

speeches, for old speeches are not attractive, but this is the story of my life at one of its most important crises, and if another were writing that story I think he would feel bound to cite the close of this speech, not for any merit in the passage itself, but because it is the best account that can be given of the feelings with which I entered upon the parliamentary conflict which has now to be recorded. My action cost me my seat in Parliament, and in the result defeated a long-cherished ambition, but I look back upon it now with more satisfaction than upon any other part of my political career.

I have confidence in the Government, but there are dangers about. The people of this country are hot-tempered, speak strongly, speak quickly, and have memories for what they consider—and rightly consider—to have been sad events in the past. For one man in England to-day who is in favour of war because of the interests of the Outlanders there are a dozen who are ready to shout for war because they want to avenge Majuba Hill. But how long ago was Majuba Hill? If Majuba Hill were to be avenged at all, the time was then, not now. Between Majuba Hill and us there have passed eighteen years during which we have made conventions, and we have treated with, and have assured of our friendship, that Republic against which a stormy and tempestuous portion of our people are willing now to make war in order to avenge Majuba Hill.

It would be a disgrace to the country to enter into war. What one wants to guard against is the overwhelming passion of the moment, and the effect that may be produced by the clamorous ignorance of the theatres and the streets. It is time—is it not?—for those of us who feel deeply on matters like this to make an appeal to the conscience of the people of this country. It is time to remind our countrymen of the greatest poem that has been written by any living man, and the majestic appeal that was made to us a little time ago:

> God of our fathers, known of old—
> Lord of our far-flung battle line—
> Beneath Whose awful Hand we hold
> Dominion over palm and pine—
> Lord God of Hosts, be with us yet,
> Lest we forget—lest we forget!

Lest we forget that our wealth and strength and the splendid range of our imperial sway bring to us responsibility as well as privilege. We claim—we claim it thankfully and not boastfully—that we are in the very van of the civilisation of mankind. Our ships are on every sea; our traders are in every market; our English tongue is fast becoming the language of the world. On every distant continent there are growing up colonies sprung from our loins and carrying forward our traditions of freedom and of order. Let us rise to our great mission. Let us show that we are capable of a calm and patient and manly spirit in dealing with international affairs—prompt to resent insult, steadfast in the protection of our national interests, ready to act for the protection of our countrymen under whatever government they live; but at the same time having the manliness to acknowledge mistakes which we ourselves have made, to make allowance for the ignorance, for the prejudice, for the suspicions of others—and to remember that it is easier and nobler for the strong to be generous than it is for the weak to be submissive. So shall we show to the world the policy and pattern of a Christian State, so shall we give the world the blessings of peace, and give, too, to the dear country of our birth the greatest of all honour it can have.[1]

The publication of this speech caused some stir. In some of the London newspapers, especially those with which our London visitor was connected, there were violent attacks upon me. I had arranged to speak at Conservative meetings, at Penarth on October 3rd, and at Newtown, Montgomeryshire, and after spending the week-end at Maristow with my old and staunch friend Sir Massey Lopes, Lady Clarke and I went on the Monday to the Royal Hotel, Bristol, on our way to keep these engagements. There I received letters telling me that both meetings had been abandoned. And a torrent of letters poured in upon me, some from friends, congratulating or remonstrating; the larger number, mostly anonymous, full of violent abuse.

On the Tuesday the Plymouth Executive Committee met

[1] *Selected Speeches*, p. 219; *Public Speeches*, 1890–1900, p. 146.

and discussed the situation at great length. No resolution was passed, and the meeting adjourned *sine die*; but the chairman had promised to write to me asking for an undertaking that when Parliament met I would vote with the Ministry. That undertaking I refused to give.

ROYAL HOTEL, COLLEGE GREEN, BRISTOL,
October 5th, 1899.

DEAR MR. MAY,

I have just received your letter in which by direction of the Executive Committee you ask me "whether when Parliament meets to consider our difficulties with the Transvaal" I shall "be prepared to vote with the Ministry." I fear that Parliament will have little opportunity for any useful discussion of our difficulties with the Transvaal. It appears to me probable that by the time it meets this country will be already at war with the South African Republic, and when hostilities have once commenced I have no doubt Parliament will at once grant all necessary supplies, as our best hope then will be that by a prompt and overwhelming success in arms we may the more speedily arrive at an honourable and lasting peace. But holding the opinion which I stated last week at Plymouth as to the real cause of this unhappy conflict it is impossible for me to give the pledge for which you ask. I must hold myself absolutely free to vote according to my convictions upon any motion which may come before the House of Commons. It is for my supporters in Plymouth to decide whether they will grant or refuse me this freedom.

In the following week the Executive Council met, and passed a resolution affirming that to which I had referred at the meeting at St. Andrew's Hall, and added, "Bearing in mind the splendid services Sir Edward Clarke has for the past twenty years rendered to the Conservative cause and to the best interests of the country, this council refuses to believe that he will take any action in Parliament likely to embarrass Her Majesty's Government on the Transvaal question."

I acknowledged this resolution in the following letter:

37, RUSSELL SQUARE,
October 16th, 1899.

MY DEAR MR. MAY,

I have received with much satisfaction the resolution of the Conservative Council at Plymouth. The council is quite right in refusing to believe that I shall do anything at this juncture to embarrass Her Majesty's Government.

At any proper time and occasion I shall be prepared to repeat and justify the opinions I expressed at Plymouth on September 28th. But the situation has entirely changed. War has begun, and honour, policy, and humanity alike demand that it shall be pressed forward with unsparing energy. In that task I trust the Government will receive the united support of Parliament and the country. It would have been to me a matter of sincere regret if my long connection with Plymouth, to which the resolution makes such kindly reference, had come to a sudden close by reason of any expression of an independent opinion upon a subject of grave national importance.

Very faithfully yours,
EDWARD CLARKE.

Meanwhile on October 7th a Royal Proclamation was issued summoning Parliament to meet on the 17th. By that date, as I had anticipated, the war had begun.

The most favourable time of year for the Boers to begin warlike operations had arrived. President Kruger was convinced that further negotiation would only be used by the British Government as a means of gaining time to complete their somewhat tardy military preparations, and naturally determined to strike at once. On October 9th he delivered an ultimatum, containing demands which he knew Great Britain must refuse, and on the 12th the first shot in the war was fired.

On the 17th Parliament met, and on the following day an amendment to the Address to the Crown was moved in the House of Commons by Mr. Philip Stanhope (now Lord Weardale). He proposed the addition to the Address of the words, "But we humbly represent to your Majesty our strong disapproval of the conduct of the negotiations with

the Government of the Transvaal which have involved us in hostilities with the two South African Republics."

The motion was ill-conceived, and the debate was not very vigorously conducted by the Opposition.

Indeed it was believed that some of their leaders felt that it was a mistake, now that hostilities had actually begun, to propose a vote of censure upon which the Government were sure of a large majority. To make a party attack upon the Government at that moment, at the very time when it had to meet the heavy responsibility of conducting such a war, and when the success of the motion, even if success were possible, would have forced an immediate General Election with its temporary paralysis of administrative action, was generally felt to be an unpatriotic course. The Liberals paid heavily for their blunder when the General Election twelve months later gave the Unionist party another six years of office.

I spoke on the second night of the debate, and in my opening sentences explained why I felt bound to do so.

Mr. Speaker, I think the House will understand that it is with reluctance I take part in this debate. The matter is a grave and serious one, and I wish I could hope that what I must say on the subject will be welcome and pleasant to friends sitting around me. But I ask their forbearance. I will make no large claim upon their patience, but there are things which it is my duty to say, to-night. I have spoken on this subject outside the House, and having so spoken, after what has been said I feel it my duty to join in this debate. The Leader of the House, in answer to an attack hinted at by the Leader of the Opposition, but which the right hon. gentleman does not appear to have the courage to make directly, said that if the Government had been guilty of errors in the conduct of these negotiations, he would like to have those errors made known in the presence of the representatives of the people.

It is because I have said elsewhere, and am prepared to say here, that I think there have been errors in the conduct of the negotiations that I am bound this evening to state clearly and distinctly what these errors are. Since I made

that speech, a fortnight or more ago, I have read with the utmost care all that has appeared in the Blue Books and in the public prints in regard to this matter. I have listened to-night to the speech of the Colonial Secretary, and if I had found it possible to get up and tell the House that I found I had made a mistake, that my opinion was expressed too harshly, or upon imperfect knowledge, I hope I should have had the courage—and it would require less courage than the speech I have to make to-night—to acknowledge my blunder. I would rather have confessed to a personal blunder or mistake than say a word in the nature of an attack on the Government or any member of the Government.

But I am bound to say that the more I read of the correspondence and learn the circumstances of the case, the more I am convinced of the errors in the negotiations, and that this lamentable war is absolutely unnecessary.[1]

Then I proceeded to deal with the history of the negotiations, repeating in substance, with some not unimportant additions, the detailed account of them which I had given at Plymouth.

Quite as important as anything I myself said were the interruptions of Mr. Chamberlain. He practically offered himself for cross-examination, and then in his answers to questions firmly pressed (one answer he afterwards said he could not believe he could have given)[2] he gave even greater force to the criticism I was making.

I need not here quote from this part of my speech, or say anything upon the points which were in issue between us. I gave a full and complete statement of my side of the controversy, and I hope that any who are still interested in this historical question will do me the justice to read the whole speech.

But I remember that once, in 1879, when I went with Lord John Manners and Sir Hardinge Giffard to a meeting in support of the candidature for Marylebone of Mr. William Forsyth, the author of *Hortensius*, the candidate, who was rather a dull man, from whom no one would expect an

[1] *Selected Speeches*, p. 221.

[2] *Ibid.*, p. 238; see *Hansard*, series 4, vol. lxxvii. p. 311.

epigram, excused himself for not dwelling on the causes of the Crimean War which had ended twenty-five years before, by saying "That has passed into history and been forgotten." I have often realised how much truth there was in the saying.

There are few now who take much interest in the causes of our war with the Transvaal; its consequences in the condition of the world to-day are too absorbing. But I hope that those few will find in this speech a complete justification of the course I took at the most difficult crisis of my public career.

It is not necessary to this story of my life that I should discuss the question whether I was right or wrong in the judgement I formed. But I think the closing passage of the speech, in which I referred to my personal position, speaking as I did with the belief that it was probably the last time I should address the House as member for Plymouth, is needed to make this story complete.

I should like to say one personal word to the hon. friends around me. I have been for thirty years in active political life. I have been for twenty years a diligent worker in the affairs of this House. I think I can say that during that time I have been unwavering in my fidelity to the leaders of my party in this House. Except on one occasion, when I made a speech with regard to the financial relations of Ireland, I have not in this House spoken against the course which my leaders were taking. It is, therefore, a great pain to me to speak so now. But my work for the party has been amply and completely rewarded. No sort of reward or gratitude remains due to me from the party or its leaders. It has been rewarded by my being permitted for some years to be one of the Law Officers of the Crown; it has been rewarded more than that by the constant friendship, and I hope I may say the confidence, of the right hon. gentleman whose follower I am proud to be. A reward too has been given to me which is, perhaps, better than anything else, and that has been the opportunity of taking a sometimes not inconspicuous part in the discussions of this House. But I am bound to speak thus.

No man can know that he is right, but he can know whether his opinion is an honest one, whether it is absolutely unbiased by any question of personal interest, or by the more subtle influence of personal antagonism. I know that my opinion is an honest one, though it may not be right. I hope by and by my hon. friends who are now feeling angry and hurt at my conduct may remember that there is a deeper and a truer loyalty to party than that loyalty which is expressed in the constant going into the division lobby at the bidding of the Whip.

I think they will acquit me of any disloyalty to the party in having striven, as I have done, to prevent my country suffering the calamity, and my party suffering the reproach, of having embarked on an unnecessary war.[1]

My appeal to my friends in the House of Commons was generously answered. There were not a few among them who shared my opinion as to the conduct of the negotiations which had so lamentably failed, but felt, as did I, that the clear duty of Parliament was to give unflinching support to the Ministers in their efforts to deal with a very dangerous situation in South Africa. But whether they agreed with me or not they recognised my sincerity, and I did not lose a single friendship. But outside I was heartily abused in the Press and on platforms, and at Plymouth the situation soon became very difficult.

The attacks in the Press did not trouble me much, and I recollect them now with some pleasure, for they gave occasion for a very generous action on the part of one of my friends. In *The Evening News* of October 25th there appeared a paragraph describing an election meeting at Bow, in which it was said that when the reason of my opposition to the war was known — " the chagrin of a disappointed man "—its importance dwindled to a pin's head.

I did not see the paragraph ; but a day or two later a friend showed me a letter which had appeared in large type in *The Evening News* of the following day over the signature of Mr. Alfred Harmsworth (the late Lord Northcliffe), one of the proprietors of the paper.

[1] *Selected Speeches*, p. 234.

I cannot deny myself the pleasure of quoting it in full :

To the Editor of "The Evening News."

SIR,

I notice in an article on the Bow election in yesterday's *Evening News* that your reporter attributes Sir Edward Clarke's attitude on the Transvaal question to "the chagrin of a disappointed man."

I have had the honour to know Sir Edward Clarke since I was a child, and I take this opportunity of stating emphatically that you are absolutely in error in making such a charge. Though I disagree entirely with Sir Edward Clarke as regards both his Venezuela and his Transvaal speeches, I should count it a great misfortune for the country if we had not among us men of his independence of character. It is not a grateful task to place one's self, as Sir Edward Clarke has done, in opposition to one's own party and nine-tenths of the public opinion of the country.

I am yours, etc.,
ALFRED HARMSWORTH.

Daily Mail OFFICE.

At Plymouth, during the whole time of my long membership, political parties had been very evenly balanced. I had indeed been successful at five contested elections, but, save in 1886, when circumstances were quite exceptional, my majority had never exceeded 160 on a poll of over 10,000. In 1895 we had lost one seat to the Liberals, and at the by-election in 1898, caused by the death of Mr. Charles Harrison, we had failed to regain it, although we had a good candidate in Mr. Ivor Guest (now Lord Wimborne), a good speaker, with an attractive personality, and the useful backing of the Wimborne influence and wealth.

It was not unlikely that if I stood again at a General Election I should be successful ; for I think the bulk of my old supporters would have stood by me, and I should have had many votes from Liberals who agreed with my opinions upon the war, and would have been unwilling to part with their old member. But this would involve the breaking up of the Unionist party ; and it was evident that the work

of the party organisation would be crippled so long as every ward committee was divided, and every meeting disturbed by the differences which my action had caused.

Mr. May, the Conservative chairman, and Mr. John Shelly, the chairman of the Liberal Unionists, came to London to see me, and we had long consultations.

It was obviously my duty to remove the personal difficulty as soon as possible, and I took the only course which seemed likely to be effectual. On November 25th I sent Mr. May a letter for publication saying that I should not again offer myself as a candidate for the representation of the borough. I received at once many remonstrances, and some of my old friends thought I was being shabbily treated and expressed their indignation pretty strongly. So I wrote to one of them a full explanation of my action.

Your letter is one of many that I am receiving from old friends and supporters who do not desire to accept as final the announcement that was made last week. Of course it is pleasant to me to note the strength and extent of this feeling, but if it were publicly expressed it would do the very mischief which I am trying to prevent. We have a majority at Plymouth; but it is not a large one, and we can only get both seats by good organisation and absolute unity between the two candidates. We have had two interesting experiences, one very pleasant, the other very disappointing. In 1892 Sir William Pearce and I polled exactly the same number of votes (5,081) and won both seats. In 1895, at three o'clock in the afternoon, both sides thought that Mr. Hubbard and I were winning. Some of my old friends were anxious to see me at the top of the poll, and plumped for me. Forty-two did so, and Mr. Hubbard was beaten by twenty-six. At the next election to Parliament there will be a division in the ranks of our opponents, and if our people are absolutely united I think we must get both seats. But I implore my friends not to allow any feeling of sympathy with me to induce them to let the idea get about that I have been in any way ill-treated. It is not so. I recognise the actual condition of political affairs, and I, without hesitation and without complaint, stand aside when I can be no longer useful.

I spoke once more to the House of Commons on February 2nd, 1900, in the course of the six nights' debate upon another amendment to the Address. Mine was not a controversial speech, and I appealed to the leaders of the Opposition not to insist upon a division which would be misunderstood and misconstrued abroad. I said,

I, for one, will gladly vote with the Government, because now, when the war is waging, when it is impossible to stop the war without doing more mischief to our Empire and producing more misery in the world, we must carry the war to its ultimate conclusion; that is the successful issue of our arms, and the establishment of a satisfactory state of things in South Africa.

But I urged that no declaration should be made by the Government which would close the way to an honourable settlement with our opponents, and I suggested that the Prime Minister should take under his own control the correspondence of the Colonial Office with South Africa, and that Lord Rosebery should be asked to go out and deal with the solution of the difficulties there.[1] This suggestion was of course keenly resented by Mr. Chamberlain's friends.

Meanwhile the situation at Plymouth had somewhat changed. Very soon after my speech there in September it was suggested in *The Western Morning News* that an immediate by-election would probably result in the unopposed return of Mr. Ivor Guest. As the weeks went by it was clear that the tide of public opinion was running strongly in favour of the Government. At the municipal elections at the beginning of November there were great Conservative gains. In Plymouth there was a contest in Compton Ward, and the Conservative beat his opponent by two to one. At Exeter Henry Northcote vacated his seat on being appointed Governor of Bombay, and Sir Edgar Vincent defeated the Liberal candidate by a greatly increased majority. The leaders at Plymouth had reason

[1] *Selected Speeches*, p. 235.

to believe that the Liberals would not bring forward a candidate at a by-election, and quite rightly thought that the immediate election of Mr. Guest, coupled with my determination not to be a candidate at the General Election, would put an end to their difficulties.

On February 9th I received a letter asking me to resign. That evening I paid my last visit to the House. Lady Clarke came down and dined with me there, and I sent in my application for the Chiltern Hundreds.

On February 10th, 1900, I ceased to be a Member of Parliament.

CHAPTER XXVIII

OUT OF PARLIAMENT: 1900–1905

It seemed very strange to me at first to be no longer a Member of Parliament. My thoughts and studies and the arrangements of my life had been for twenty years so much influenced and almost determined by my duties at the House of Commons, and my hopes for the future had been so closely interwoven with that political work, that it was hard to realise that occupation and hopes had all suddenly disappeared. And I sorely missed the constant companionship of the friends with whom I had been wont to discuss day by day the affairs of the world. And although, as I have told in a previous chapter, the measures in which I had taken the greatest interest had during the last four years been happily accomplished, there must always be useful public work to be done in which I had hoped to take my share. And I had much anxious doubt whether the circumstances in which my connection with Plymouth had ended would not prevent my being accepted as the Unionist candidate for any other constituency. I could not easily reconcile myself to the idea that I might be permanently excluded from the House of Commons. But these regrets and anxieties were overshadowed by a more serious anxiety at home. In April 1899 my daughter had been married to a young officer in the Northamptonshire Regiment. Six months later he was sent out with his regiment to South Africa. They were going out, as all thought, on a very short errand. It might be that the war would be over before they reached the Cape; at all events no one doubted that by Easter they would be back. Two years

and a half passed before the husband and wife saw each other again. And during the first three months after their parting there came the heavy news of successive defeats. Talana Hill and Lombard's Kop in October, Stormberg, Magersfontein, and Colenso in the black week of December, and Spion Kop a month later, with their heavy lists of killed and wounded, made us eager to see the newspapers, yet almost dread to read them, lest there should be some awful news for the brave little wife who had come back to her father's home.

After I left the House I took no further part in political controversy. I retained my office as President of the Holborn Conservative Association and spoke at the annual meetings, but with that exception I did not make a political speech for nearly three years. But it was not long before suggestions were made to me as to my return to the House of Commons. In the letter in which Sir Michael Hicks-Beach answered my resignation he expressed the hope that my absence from the House would be only temporary, and in June Captain Middleton, the chief Conservative agent, wrote to tell me that our friends at Portsmouth were very anxious to know if I would be willing to accept an invitation to contest that borough. I thought it curious that the first suggestion should come from a constituency where the naval and military interests which had been hostile to me at Plymouth were so strong, and I at once refused the offer

A month or two later the resignation of Alderman Sir Reginald Hanson caused a vacancy in the City of London, and my name was at once mentioned. But Sir John Puleston, the Conservative chairman, wrote to me to say that it was considered that the regular practice must be followed of an alderman succeeding an alderman, and that the war feeling in the City was too strong for my candidature to be put forward by the Association, even if the other objection could be got over. The understanding that one of the City members should represent the bankers, and one the Court of aldermen, had prevented Sir Joseph

Dimsdale from being brought forward in 1892, and he was now brought forward and elected.

The passionate war feeling of September 1899 had been somewhat sobered; but there were many people whose irritation at finding how long and difficult was the task of completely subduing the Boers made them the more bitter against those who had striven to prevent the war or to bring it to an early close. So I resigned myself to what I hoped would be only a short absence from the House.

This absence had one very important compensation. For twenty years my duty to my constituents and political speeches elsewhere had interfered with every holiday. Every Christmas and Easter and every October a visit had been paid to Plymouth, and the last month of the Long Vacation had always been given up to political work. Now the shorter holidays were quite free, and I made good use of them.

In 1900 my wife and I spent the Easter fortnight at Rome, and saw the great pilgrimages and services of the Jubilee year. The following year we went to the Riviera at Easter, had a long trip to Italy in the autumn, and in December paid the first of three Christmas visits to Egypt. In 1902 our Easter change was to Algeciras, in the autumn some weeks were spent at Paramé, and then we had a delightful month in Spain, with a good courier, seeing the beauties of St. Sebastian and the glories of Burgos, and Cordova, and Granada, and Seville.

It was a great gain to me to be able to take at this time these untroubled holidays. For it seemed as if every change in my political position, whether a success or a reverse, had the effect of increasing the pressure of my professional work. The strain of work during this latter year was very severe, and in December I had something of a nervous breakdown, which sent me off to Egypt for a few weeks, and was a warning I did not disregard. After the end of 1902 I refused a great many briefs, and this soon caused a rumour to get about that I intended to retire from practice. In 1904 this impression was very much

strengthened by the fact that my friends at the Hardwicke Society made me their chief guest at the annual dinner, and formally congratulated me on completing my forty years at the Bar. That was the most expensive dinner I ever attended. Clients became convinced that I was about to retire, and my income fell off more rapidly than I had expected or desired.

This did not, however, trouble me much. I had spent money freely, though I hope not unwisely; I had made a moderate provision for my children; and there remained sufficient for the comfort of the closing years of life, even if I did not get the judicial appointment which I still thought would probably be offered me.

I must mention one fortunate circumstance which helped me in my time of heaviest work. In 1900 the lease of my house in Russell Square expired. We did not take another house in town, but contented ourselves with our pretty home at Staines, and only occasionally staying in London, either at one of the hotels or in a flat at Whitehall Court. This was a great gain in health and in enjoyment.

The chief incident in my life in 1903 was a very pleasant trip to Canada with my eldest son. Early in that year a well-known tourist agent made arrangements for a parliamentary party which was to consist of members of the House of Lords and the House of Commons, and was to make a progress through Canada from Quebec to Victoria, being received and entertained by the principal public bodies.

Ex-members of the House of Commons were invited to join. Lord Lyveden undertook to be the guide and conductor of the party. The scheme promised to be very successful. Many members sent in their names as desiring to go, and a very generous welcome was assured to them in Canada.

But the fair prospects of the undertaking were destroyed by the breaking out in England of the Tariff Reform controversy. On May 15th at Birmingham, and a fortnight later in the House of Commons, Mr. Chamberlain had set

forth in definite and somewhat imperative terms a scheme of Tariff Reform which it was quite evident would divide the Unionist party, and would probably break up the Government. The new movement was soon organised, and in July the Tariff Reform League held its first meeting. It seemed so likely that there would be a political crisis before many weeks had passed that most of the politicians who had intended to join the Canadian trip withdrew. The reasons which detained them at home made me the more anxious to go. I had received a very tempting invitation to stand for Brighton ; where I was assured that an immediate by-election could be arranged with entire confidence that I should be returned. I had deferred my answer until after the Canadian trip, and was anxious to have time to study the Colonial aspects of the fiscal question, and to have an opportunity of discussing it with the leading statesmen of the Dominion.

When on August 20th the excursion party embarked at Liverpool we were only twenty-three in number ; and among us were to be found only one peer besides Lord Lyveden, and only three members of the House of Commons ; Mr. Cumming Macdona, the member for Bermondsey, Colonel Sadler, member for Middlesbrough, and Mr. (afterwards Sir) George Doughty, member for Grimsby, and I, were the only persons in the group who had any connection with the House. It would clearly be absurd to attribute to us any representative character, so it was arranged before we arrived at the St. Lawrence that the public receptions and dinners should be abandoned, and the parliamentary character of the trip should be quite given up. We were to consider ourselves a party of private travellers, who, however, would profit by the special arrangements which had been very kindly promised by the authorities of the Canadian Pacific Railway.

This scheme was not entirely carried out, for, with a tolerant and most generous hospitality, the mayors and harbour boards insisted on showing to our attenuated and undistinguished party the attentions which they had intended

to pay a really representative body of English parliamentarians, and at Montreal we were entertained at a delightful dinner by Lord Strathcona.

The change in the character of the trip was a great advantage to me. There were fewer speeches to be made and I came in for a good deal of personal attention from the leaders both in politics and law. At Montreal I was entertained at dinner by the Quebec Bar: Mr. Donald MacMaster, the bâtonnier, presided, and five judges and about thirty King's Counsel were among the large company which did me honour.

A similar dinner was given at Toronto; and there a great gathering of several hundred Freemasons was promptly arranged to salute me as a Past Grand Warden of the Craft.

At Ottawa I met the politicians, and I will transcribe a few sentences from my letter to Lady Clarke relating my doings there.

When we were at Montreal I had a letter from Senator Casgrain asking Percival and myself to lunch with him at the Ottawa Club to meet Sir Wilfrid Laurier and Mr Fitzpatrick, the Minister of Justice, so as soon as we reached Ottawa we went up to the club and had a very pleasant little lunch. Sir Wilfrid seemed much better than when I saw him last year at Jersey, and was very open and frank in conversation.

We discussed the Canadian questions, and from him and Fitzpatrick I obtained some very useful hints.

After lunch the senator took us across to the Senate and there introduced us to some of the principal men, and the Speaker gave us seats on the Floor close by his chair to listen to the debate. The Senate, however, is a particularly bad place for sound, and not much of importance was going on. It was otherwise in the Lower House. There we were just in time to see the House going into Committee and beginning a long sitting which lasted from that day until 11.30 the next night.

Mr. Fitzpatrick asked us to dine the next evening at the Rideau Club, and the Premier promised to come.

We went, and had a most interesting dinner. I sat between Sir Wilfrid Laurier and Mr. Blair, who was Minister

for Railways, and has just left the Government because of a disagreement as to the cost of the new railway line which is to be made for the purpose of opening out the district north of the present transcontinental lines.

Among the other guests were Mr. Fielding, who is looked upon as the probable successor of Sir Wilfrid Laurier, and Mr. Monk, the Leader of the Opposition, besides a couple of judges. It was an extremely pleasant party, no formality, no speeches, but a pleasant interchange of opinions about Canadian and imperial politics, and when the party was breaking up I had a very useful talk with Mr. Monk. Then a senator was left to keep us company until our train started, and the Ministers went over to resume their places, expecting another all-night sitting. As a matter of fact, an agreement was come to about 11.30, and the weary legislators went home to bed.

We went on to Toronto, and I quote a few more passages from my letters:

On Sunday morning we went to St. James's Cathedral, the finest Anglican Church here, and a very spacious and beautiful building, to hear Bishop Du Moulin of Niagara, who used to be preacher at this church, and is considered the best of the Canadian preachers. He gave us a very vigorous discourse, a fine piece of pulpit declamation, but not very Christian in tone. The early part of the sermon was devoted to a strong denunciation of trades unions and of women who earn their own living. The latter part had not much to do with the text or introduction, but was very finely delivered.

When I came into the hotel in the afternoon, I found a card from Mr. Goldwin Smith, so we went to his house at once to return the call. He recalled meeting me at a Fishmongers' Hall Dinner, many years ago, and I was able to remind him of the subject of our conversation then.

He lives in a pleasant English-looking house, the oldest brick building in Toronto, with spacious lawns in front and well-grown trees. Himself is a fine tall old man of just eighty years of age, very vigorous and very positive and definite in his ideas. We talked for an hour or more—that is to say, he talked—and I kept the conversation going in the direction upon which I wanted to hear him.

For many years he has proclaimed his belief that Canada and the United States are destined to constitute one great republic, and he holds that opinion still; but he recognises that the strength of Canada, by the increase of its population and by the great transcontinental railway, has made the probability of a Union for the time less than it was.

He does not appear to approve of any person or thing that he talks of, and was most bitter in his description of the Government, and administration, and people, and press, of the United States.

As to our fiscal question, he is a strenuous opponent of Mr. Chamberlain, as much I think from a dislike to the man himself as from any careful estimate of economical considerations. He admits that the Canadian people are at present very loyal, giving the credit for the friendship felt towards us in Lower Canada to the influence of Sir Wilfrid Laurier; and he says that the tariff question with Germany, of which Mr. Chamberlain has made so much, has been practically unknown or at least unnoticed by the Canadian people.

Our conversation over, he showed us the house, especially the library, which I wanted to see, and in which to my astonishment I found a billiard table.

The next morning I had a letter from him asking Percival to dine there last evening if he were not going to dine with the Ministers at Parliament House, and repeating in characteristic fashion the two main propositions which he desired me to carry away from his monologue.

However, Percival was going with me to the dinner which, last evening, we very greatly enjoyed.

The Premier was in the chair, I was between the Chief Justice and the Attorney-General, who is here, as he ought to be everywhere, a member of the Cabinet, and next but one to me was a very remarkable man, Colonel Denison, who is the intrepid representative here of Mr. Chamberlain's policy. We had a number of speeches. The Premier is a brilliant speaker, and gave us a very charming address and welcome. Four speeches followed by the representatives of "The Law," the Chief Justice, "Commerce" by a senator, whose name I forget, "Religious Influences" by a Canadian clergyman there, and "Banking and Trade Affairs" by a Mr. Walker, a very admirable speaker, whose contribution to the evening was of substantial value.

I proposed the health of the Premier, and I believe gave them a pretty good example of our style.

When we reached Vancouver we heard some startling news from England. There had been notable changes in Mr. Balfour's Cabinet. On September 18th he had accepted the resignations of Mr. Chamberlain, the leader of the new Protectionists, and Lord George Hamilton and Mr. Ritchie, the staunchest Free Traders among his colleagues. The full history of that very curious incident has yet to be written ; but it seems clear that Mr. Balfour, who had avowed that he had no settled convictions on the fiscal question, was climbing up higher on the fence, and, when Mr. Chamberlain left him, dexterously got rid of the colleagues who were most strongly pledged to definite opinions on the other side. It looked for a few days as if the Government must break up and an immediate General Election follow, and Macdona, Sadler, and Doughty telegraphed to the Unionist Whips to say they would return to England at once if they were wanted. But Mr. Balfour somehow managed to detain the Duke of Devonshire in the Cabinet for a fortnight longer. An immediate dissolution was avoided, and there began that process of gradual disintegration which in little more than two years brought the Unionist party to overwhelming defeat.

So we continued our journey to Victoria ; and on our return I left the party and spent a few days in New York. I wrote to Lady Clarke :

I think I shall accept the invitation to Brighton without troubling about the City. There are two considerations which seem to me to tell in favour of Brighton. One is that a month in Brighton would be more pleasant and more wholesome than constant City dinners ; and another is that a City member has no opportunity of making periodical speeches to his constituents, such as I should find it pleasant to make in the Brighton Pavilion. However, we will talk about that when I get back. The decision must then soon be made, and the contest will really begin at once.

When I returned to England in October I went down to Brighton and addressed the Committee of the Conservative Association, and was adopted by them as their candidate at what I expected to be an immediate election. But Mr. Chamberlain had made some headway there; while I was, as I had been from my first entry into political life, a firm opponent of any proposals to put taxes on food or on raw materials. If the understanding on which I had come forward had been adhered to and a sudden election had taken place, I feel sure that I should have been returned—indeed, I doubt if there would have been a contest. But some of the retired military men, who are an influential body at Brighton, had not forgiven my speeches against the war; some of the traders were dissatisfied because I would not endorse Mr. Chamberlain's proposals; and the Committee, under the masterful chairmanship of Colonel Verrall, decided that it would be better to wait until the General Election. It was a very unwelcome decision to me. I wanted to get back into the House of Commons; and if I had abandoned the candidature at Brighton what had happened there would make it less easy to find a promising opening elsewhere. I felt also that my retirement would not be quite fair to the constituency, or to my good friend Gerald Loder, who had been very active in trying to secure me as his colleague. So I accepted the situation, and set myself to the troublesome and very expensive work of making myself known to all classes in the constituency. In the late autumn of 1903, and again in 1904, I took a good house on the sea-front, and we had our carriages and horses down, and entertained and visited very freely. I should have gone on like this until the General Election, spending a great deal of money, and feeling painfully the difference between my new surroundings and my dear old friends at Plymouth, when I was fortunately rescued by a quite unexpected incident.

In April 1905 Mr. Loder was appointed one of the Unionist Whips, and had to come down for re-election.

Two experts in electioneering had been sent down to make inquiries, and reported that the seat was safe. I at

once suggested that the other seat should be vacated, and a double by-election arranged. But this would have caused delay. So Mr. Loder was nominated, and Mr. Villiers, a son-in-law of Lord Wimborne, came out to oppose him. It seemed odd to have Lady Wimborne and her daughter canvassing against us, for the last time I had met them I was canvassing with them at Plymouth when Mr. Ivor Guest was standing on the Conservative side in 1898.

For a time all seemed going well, but as the polling day drew near there were signs, obscure but unmistakable, that the tide was turning against us. The fact was that Mr. Loder was a director of the London, Brighton, and South Coast Railway, and just then there was a difficulty between the directors and the men employed in the engine sheds. The Liberals made the most they could of the trouble ; and when the polling took place it made a difference of several hundred votes, and Mr. Loder was beaten by 817.

I gladly took the opportunity of releasing myself from an uncongenial position ; and with mutual goodwill, and I think mutual relief, the constituency and I parted.

This left me free ; and very shortly afterwards a way was opened for renewing negotiations with regard to the seat for the City of London.

It did not now seem that there would be any difficulty about my getting back to the House of Commons, for I soon had invitations from other places. Mile End and Southampton were proposed, but they would have meant doubtful contests ; Hornsey and Shrewsbury were offered, and they were safe Conservative seats. But my prospect of achieving the great object of my ambition was now too promising to be relinquished.

CHAPTER XXIX

THE CITY OF LONDON: 1906

I had many friends in the Court of Aldermen, and of these the two who interested themselves most in my political career were Sir David Evans, who had been Lord Mayor in 1892, and Sir William Treloar, who had served the Shrievalty in 1899 and whose turn for the mayoralty would come in November 1906. It was understood that Sir Joseph Dimsdale, whose mayoralty in the year of King Edward's Coronation had rivalled in splendour those of Sir Reginald Hanson in the Victoria Jubilee year of 1887 and Sir George Faudel Phillips of the Diamond Jubilee of 1897 and who had been loaded with honours, and was now Chamberlain of the City, was inclined to withdraw from parliamentary work; and although two or three members of the Court coveted the succession there was not a majority in that body for any one of them. In the autumn of 1905 Lady Clarke and I went for a trip in the P. & O. boat *Arcadia* to the Mediterranean, and among our fellow-passengers were Sir David Evans and his pretty daughter. He and I talked much about politics and he proposed that my name should be brought before the Court of Aldermen, so that if the seat was not wanted for one of themselves they might appear to retain their privilege of nomination by putting me forward as their candidate. Directly we returned to London Sir William Treloar came into consultation, and took up the scheme with characteristic energy. The Aldermen were sounded separately, and while the two or three who wanted the seat themselves were rather lukewarm, each promised to support me if not himself selected. Only

one member of the Court was definitely hostile. When my two friends had discussed the matter confidentially with every member separately, and knew that the proposal must succeed, it was brought before the Court at a private meeting, and the result was that, with the one single exception, it was agreed that I should be recognised as the official candidate of the Court of Aldermen.

Meanwhile I had been in communication with Sir Joseph Dimsdale, and he had given me a promise that he would retire whenever the General Election came, and would, in announcing his resignation, express the hope that I would succeed him. Sir John Puleston, the Conservative chairman, had been, as member for Devonport, in close political association with me, and there were personal reasons which assured me of at least his ostensible support. With Alban Gibbs (afterwards Lord Aldenham) I was in pleasant personal relations, and I knew that to him I should be an acceptable colleague.

So a meeting of the Executive Committee of the Conservative Association was held. I addressed it. The Committee recommended me to the Association; and at the meeting of the whole body the recommendation was received and approved, and I was the accepted candidate of the party. The interval between this adoption and the actual election did not pass quite smoothly. Claude Hay, a stockbroker or jobber, had some years before conceived a great dislike to me because I, as President of the Holborn Conservative Association, had been instrumental in preventing his being accepted as candidate for that borough, when Mr. Gainsford Bruce was raised to the Judicial Bench. He joined Mr. Faithfull Begg and Mr. (now Sir) Frederick Banbury in getting up an application to Lord Curzon, who had just returned from India, asking him to come forward for the City. I heard of it, and wrote at once to Lord Curzon telling him that whoever came forward I should certainly go to the poll, and I received a prompt and very friendly reply saying that I might be sure that he would never stand in the way of my return to the House of Commons.

It was rumoured that an attempt would be made to induce the Conservative Association to rescind their resolution in my favour, and I knew that the thoroughgoing supporters of Mr. Chamberlain were dissatisfied with my opinions on Tariff Reform.

We promptly took precautions, and arranged that if necessary a separate election committee should be formed, of which Sir William Treloar would be chairman, and Sir David Evans vice-chairman.

However, the trouble passed away ; and when the nominations took place Mr. Gibbs and I were the only candidates on the Unionist side, against Sir West Ridgeway and Mr. Felix Schuster, who stood as Liberals.

There were several nomination papers for each candidate. One of mine was signed only by members of the Bar, not all of them belonging to the Unionist party. But the most remarkable one was signed by nine Aldermen who had served the office of Lord Mayor. We had a short but very lively contest. I took rooms at De Keyser's Hotel on the Embankment at Blackfriars, and was hard at work all day with meetings and canvassing.

One early morning was spent at the Central Meat Market at Smithfield, and another among the fish salesmen at Billingsgate. At Lloyds, at the Baltic, at the Corn Market in Mincing Lane, and in Throgmorton Street, my fellow-candidate and I had great receptions ; and at the City Carlton Club, of which I had been a member for thirty years, and nearly the whole time a member of the Committee, my old friends gave me splendid support.

There was one incident of the contest which in view of what happened afterwards I think it well to recall. On the Tuesday after the nomination *The Times* contained a letter by the Duke of Devonshire to Mr. Schuster, in which he said :

> I have no hesitation in wishing you success in the contest in which as a Free Trader you are engaged against the supporters of the policy of the Tariff Reform League.

I saw it, and I resolved that there should be no misunderstanding as to my opinions, and at once wrote a reply for publication, in which I said :

You say I am a supporter of the policy of the Tariff Reform League. That is not the fact. I am not a member of the Tariff Reform League, and have not accepted its programme. . . . I am strongly opposed to any taxation of food or raw material unless absolutely necessary for the purpose of raising revenue.

As the day of polling drew near, the enthusiasm of our friends increased, and the only question was by how many thousands of votes we should defeat our opponents. I was very anxious that the polling should be fixed for the Saturday, the first day on which any poll could take place ; and our friends bitterly regretted afterwards that they did not take my advice. They urged that the voters on our side, sure of success, would not take the trouble to come to town on a Saturday, and so our majority would be reduced. I said that the figures of our majority did not so much matter ; we were sure of winning by thousands, and the effect of a victory like that in the greatest constituency in the kingdom would be felt everywhere. The City of London should be the first to speak, and her voice might set the note for the whole country. I was overruled, and the poll was fixed for Tuesday. Saturday night brought the news of Mr. Balfour's defeat at Manchester, the beginning of the Unionist rout ; and in the disasters that followed our triumph in the City of London was little heeded. It was indeed a notable triumph. When the numbers were declared on Tuesday night they stood as follows :

Sir Edward Clarke . . .	16,019
Mr. Alban Gibbs . . .	15,619
Mr. Felix Schuster . . .	5,313
Sir West Ridgeway . . .	5,064

My majority over the highest Liberal was 10,706. That was the crowning day of my political career, the day

when the ambitious hopes which had been with me for fifty years were fulfilled, and more splendidly than I had ever imagined to be possible. The city of my birth, where I had begun so humbly as the errand boy and helper in my father's little shop, the greatest constituency in the world, greatest in the combined characteristics of numbers, wealth, intelligence, and independence, had chosen me for its foremost representative in Parliament. And it had chosen me, not by the mere majority, large as that was, of the votes cast at the election. My sixteen thousand votes represented 57 per cent. of the possible voters at a City election.

Can any one wonder that as I left the Guildhall that night the highest hopes I had ever formed came back to me more strongly than ever? At last my course seemed clear. I had now no need to trouble myself about professional work. I had for twenty years earned a very large income; and, although I had spent very freely, I had saved enough to secure to me, as I thought, the modest income which would suffice to enable me to devote myself to a political career. It was true that I was sixty-five years of age, and that it was evident that for some years my party would be out of office. But it was power and not office that attracted me; and a wisely led opposition, not harassed by small responsibilities, framing policies which it may, at any moment, be called upon to put in practice, may render service to the Empire scarcely less important than those of the Ministry itself.

So I felt very happy and very proud, and began to prepare myself for resuming the regular attendance at the House of Commons which had in former years given me so much enjoyment.

On February 13th Parliament was opened; and my colleague and I, in assertion of the traditional privilege of the representatives of the City of London, took our seats upon the front bench on the Government side of the House. To me it was an interesting anniversary. On February 13th, 1880, Southwark had elected me its member. Thirteen years passed; and on February 13th, 1893, I followed Mr.

Gladstone in debate when he introduced the second Home Rule Bill. Again thirteen years passed; and now on February 13th, 1906, I took my seat as the senior member for the greatest constituency.

Mr. Balfour was not a member of the House, but arrangements were already being made for his return to lead the Unionist party. When our great majority in the City was announced, it of course occurred to many that a new election in the City might enable him to return to Parliament in a way which would to some extent atone for the defeat at Manchester.

Alban Gibbs would in due time succeed to a peerage; and his father's age rendered it not improbable that this would soon take place. He had not himself been prominent in the work of the House of Commons, and was not supposed to be very anxious to remain there.

On the morning of January 23rd I received a letter from Balfour asking if I could arrange for an opportunity to be given him of making a speech in the City before the opening of Parliament. And the same post brought me a letter from Lord Salisbury asking if I would be willing to use my influence with Alban Gibbs to induce him to vacate his seat in order to let Mr. Balfour take it. He was a cousin of Alban Gibbs, but could not very well make the proposal direct to him, as at a recent by-election in Hertford he had refused to support Vicary Gibbs, who had lost his seat in consequence. I promised to do all I could, and suggested that Akers-Douglas, who was our Chief Whip and an old personal friend of Gibbs, might usefully make the suggestion. This answer was telephoned to Hatfield. I do not know if it was found necessary for Akers-Douglas to intervene, but on the 25th Lord Salisbury wrote to tell me that a very satisfactory letter had been received from Gibbs, and that the matter was arranged.

Balfour was to make his speech at the dinner to Gibbs and myself at the Merchant-Taylors' Hall on February 12th; Alban Gibbs was to take his seat in the House on the 13th, and then immediately apply for the Chiltern Hundreds,

and the new election in the City was to take place as soon as possible.

Just before the Merchant-Taylors' Hall dinner a curious little incident occurred. Sir David Evans came to me, and in a mysterious way said that he had been asked to suggest to me that it would be well if I did not speak of Mr. Balfour as my leader, and indeed did not mention the leadership of the party at all. I need hardly say that the effect of the suggestion was that I did very definitely and very strongly declare my allegiance to Mr. Balfour.

Mr. Gibbs promptly vacated the seat, and I went round with the new candidate to the few meetings it was thought necessary to arrange. I spoke at those meetings, and I issued a special address to the large number of voters in the Temple begging for their renewed support. On the polling day, February 27th, Mr. Balfour was unwell and could not appear, and I drove about with Miss Balfour and attended the counting of the votes, and afterwards made the speech of thanks to the electors. And of course I walked up to the table with my new colleague when he took his seat.

For a time our relations were most cordial. He invited me to sit on the front bench, a privilege to which I was not entitled, as I had not been a member of the late Government ; and it was at his request that on March 7th I spoke for the Opposition in a debate upon a motion for the payment of members. He was then controlling the arrangements for debate, although Mr. Chamberlain as his substitute led the party in the House until Mr. Balfour took his seat on March 12th.

Between the date of his defeat at Manchester and his return to the House as member for the City a severe struggle had been going on between him and Mr. Chamberlain as to the position which the Unionist party should adopt with respect to Tariff Reform. Of the 157 Unionists who now had to face a majority of three times their number more than two-thirds were ready to accept the entire scheme of the Tariff Reform League, and unless some terms of agree-

ment could be found it was clear that Mr. Balfour's leadership of the party would be impossible.

He met Mr. Chamberlain at dinner on February 2nd, but no agreement was reached. On the 8th Mr. Chamberlain published a long letter, in which he said that his friends were prepared to accept Mr. Balfour's general leadership, but asked for a declaration that Tariff Reform should not be dropped. On February 12th, at the dinner given to congratulate Mr. Gibbs and myself on our election, Mr. Balfour said that the general tariff and the question of a small duty on food were questions of expediency and not of principle. He did not admit their necessity, or reject them as in all cases inadmissible. The next day a prolonged conference took place. Mr. Balfour and Mr. Gerald Balfour and Mr. Chamberlain and Mr. Austen Chamberlain, with the assistance of Mr. Akers-Douglas (now Lord Chilston), met to arrange the terms of settlement. The afternoon meeting brought no agreement, and the negotiations came near to being broken off ; but the five met again in the evening, and eventually a formula was arrived at. The next morning a letter from Mr. Balfour was published in which he stated that Fiscal Reform was and must remain the first constructive work of the Unionist party, and admitted that a moderate general tariff and a small duty on foreign corn were not objectionable in principle. Mr. Chamberlain replied cordially accepting the surrender, and for a time the difficulty was got over.

But the supporters of the Government were, of course, anxious to manifest by a debate and a division the completeness of their triumph in the constituencies over the Tariff Reformers, and as no opposition amendment to the Address had raised the fiscal question Sir James Kitson gave notice of the following motion, and was promised a day for its discussion—" That this House, recognising that in the recent General Election the people of the United Kingdom have demonstrated their uncompromising fidelity to the principle and practice of Free Trade, deems it right to record its determination to resist any proposals, whether

by way of taxation upon foreign corn, or by the creation of a general tariff upon foreign goods, to create in this country a system of protection."

Notice was given of an official Opposition amendment to this, to be moved by Mr. Stuart-Wortley, to omit the words from "recognising" to "Free Trade," thus making the motion only a declaration of intention on the part of the present House of Commons.

As the day drew near it became incumbent on those who refused to support Mr. Chamberlain's programme to consult as to their action, and a meeting was held in one of the committee-rooms, at which Mr. W. F. D. Smith (now Viscount Hambleden) presided over a gathering of about forty members. It was an interesting assembly. The son of the former leader of the House of Commons was in the chair, and with him were Mr. Hicks-Beach, the son of the former Chancellor of the Exchequer, and Mr. Lionel Walrond, the son of the late chief Conservative Whip. Sir John Kennaway, Sir Francis Powell, Mr. Percy Thornton, and Mr. Abel Smith were four of the oldest and most respected members of the House. Sir William Anson and Mr. J. G. Talbot represented Oxford University, and Sir Philip Magnus the newer University of London. The Devonshire influence was represented by Mr. Victor Cavendish, and the Salisbury influence by Lord Robert Cecil, and the Durham influence by Mr. Lambton.

Mr. Rothschild and Sir Edward Sassoon, Sir Seymour King and Mr. Mildmay, coming from constituencies of widely differing character, were all opponents of the new Protectionist policy.

More than one meeting took place, and the question of concerted action was fully discussed. Eventually it was decided that no definite pledges should be given, but that the course recommended was to vote for Mr. Stuart-Wortley's amendment, and if that were defeated and Sir James Kitson's resolution became the main question to abstain from voting in either lobby.

On March 12th Mr. Balfour took his seat as member for the City of London, and Sir James Kitson's motion having

been moved and seconded, he rose to make his first speech as Unionist leader in the new Parliament. It was a pitiful performance. Instead of discussing the large questions raised by the resolution, he described it as a vote of censure on the Opposition, and then proceeded to criticise its terms, and put five interrogatories to the Government, one being whether the Indian tariff was or was not Protectionist, and another being why the words " or otherwise " were in the resolution when first put on the paper and were not in the resolution as moved. As he went on refining, and distinguishing, and inquiring, the cheers on his own side gradually grew fainter, and when he sat down no Minister rose to reply. A little later Mr. Chamberlain, with well-simulated indignation, attacked the Government for making no answer to the questions asked, and then dexterously deprived himself of the opportunity of dealing with main issues by moving, what he of course knew would be negatived, the adjournment of the debate. The design was to secure a division in which no Unionist would have any excuse for abstention, and this result was obtained when the division was taken on Mr. Stuart-Wortley's amendment.

That small advantage was dearly purchased, for it had given the Prime Minister the opportunity of administering to Mr. Balfour, amid the delighted cheers of his followers, a well-deserved castigation. Sir Henry Campbell-Bannerman's closing sentences are worth preserving.

He says that we are to stop the proceedings in this debate, and his amendments are not to be moved until we have answered these terrible questions. In so far as I have referred to them, I may have answered them incidentally. I have no direct answer to give to them. They are utterly futile, nonsensical, and misleading. They were invented by the right hon. gentleman for the purpose of occupying time in this debate. I say, enough of this foolery. It might have answered very well in the last Parliament, but it is altogether out of place in this Parliament. The tone and temper of this Parliament will not permit it. Move your amendments and let us get to business.

The motion to adjourn was rejected by 405 to 115. When the debate was resumed at the evening sitting (for at that time the House used to adjourn from half-past seven to nine), I told Mr. Balfour that I wished to speak in the course of the debate in order to maintain in the House the opinions I had expressed outside, and that as they did not accord with the policy now accepted by him and Mr. Chamberlain I thought I had better not come to the official box, but speak from a place further along the bench and near the Speaker's chair. That proposal he at once negatived, and said he wished me to speak from the usual place. Then he asked when I would like to speak. I told him I was quite indifferent as to this, and would suit his convenience.

"Then," said he, "as Lloyd George is to speak at ten o'clock and the House will sit late, do you mind following him?"

"Perhaps," he added, "as I am rather tired, you will not mind my not staying to hear you." This arranged, I saw Mr. Chamberlain, and had ten minutes' conversation with him in the corridor. He was quite friendly. I told him the sort of speech I was going to make, and he made no remark, as I expected he would, with regard to such a speech being delivered from our front bench. He also was away from the House when I spoke. About eleven o'clock I rose to make my speech. It was listened to respectfully on our side, and of course more sympathetically by our opponents. I trust that many of those who read this book will take the trouble also to read the speech, which is reprinted in my *Selected Speeches*. But for others I wish to quote here the closing passages. I did not know what would happen, but I think I had a premonition that it would be my last speech in the House of Commons. I quoted the declaration of Mr. Disraeli and Lord Derby in 1852, and then I said:

These are not obsolete shibboleths or discredited declarations. They are the declarations of the leaders of the Tory party which have been acted upon during the past

half-century by the leaders of the party. For fifty years they have represented the unquestioned creed of the Tory party. Through the thirty years of Mr. Disraeli's leadership in our councils, through the fifteen years of Lord Salisbury, through the ten years of my right hon. friend, they have been the creed of our party, and I stand firm to that creed to-day. The cry of the big and the little loaf had almost died out in the country. It had for years been scarcely heard, except in some country constituency where probably the name of the candidate revived old antagonisms. Now that ill-omened spectre has been summoned from its grave, and I believe that a generation may pass before it will be laid to rest again. At any rate, there are some of us who will stand firm in the creed which has for so long been the creed of the Tory party, and will resist now, and at any time, any proposal to put a tax on the corn or meat of the people, unless, indeed, in circumstances of so terrible a national necessity that we are compelled to sacrifices of the bitterest and deepest kind. But as a matter of administration and taxation, there are a good many of us who will never be parties to its introduction into our financial system. I hope—it is almost hoping against hope, but I do still hope—there may be found amongst those who have served in the ranks of the Tory party for many years past many who respect the decision that has been come to by their greatest leaders, and are prepared to stand by the policy which seemed to them good for the country. I do hope that the Tory party will regain its influence, for I believe its principles are an important and even essential part of our national life. And I trust our leaders will recognise that when we are anxious to extend the area of our trade and gain for ourselves imperial renown, we must never forget that the first duty of a statesman is to the poorest of the people, and that to every statesman worthy of the name the welfare of the people is the highest law.[1]

The course of events on the 13th was curious, and I think it must have been arranged. A division was taken on Stuart-Wortley's proposal to omit certain words. The numbers were 445 to 118. Then another amendment was proposed ;

[1] *Selected Speeches*, p. 26.

but as soon as the mover sat down, and before it had been put from the chair, Campbell-Bannerman moved "that the question be now put." Against the closure all Unionists could vote, and the numbers were 471 to 123. Sir J. Kitson's motion was then put from the chair.

I was sitting on the front bench next to Sir Alexander Acland-Hood, who told me he was not going to tell against the motion. The bells were ringing for the division, and he had scarcely told me this when Austen Chamberlain, looking very angry, came from his place to Acland-Hood and said, "What is this I hear, that you are not going to tell?" "No," said Acland-Hood, "we are not going to—Forster and I must stand by what we told our constituents." "Well," said Austen Chamberlain, "I do not see how you can expect us to come down night after night and give you respectable divisions, if we are to be treated like this. Where's Arthur?" "In his room." "Is not he going to vote?" "I don't know." Austen Chamberlain hurried off to find him, and before the question was put the second time came back smiling, and said triumphantly to Acland-Hood, "You are to tell. He says he wishes it." "Well," said I to Acland-Hood, "what are you going to do?" "Oh," said he, "he is my leader, and if he tells me to do it I must, but ten minutes ago I believed he was not going to vote himself." This choice of Whips determined a substantial number of votes. Akers-Douglas came in. Said I, "What will you do?" "Oh, I cannot desert my leader."

Of those who had been present at Mr. W. F. D. Smith's meeting in the committee-room the large majority, and I among them, refrained from voting. Six stalwart Unionist Free Traders voted with the Government. They were Mr. Percy Thornton, Lord Robert Cecil, Sir Seymour King, Mr. Lambton, Mr. Walter Rothschild, and Mr. Gibson Bowles.

Nield and others fell into line, but 25 of those who had voted in the former division now abstained or voted for the motion, and only 98 went into the Opposition Lobby, while the majority numbered 474.

Directly the division lists came out the Tariff Reformers, furious at the bad division, set out to drive me from Parliament. The men who had previously tried and failed to prevent my selection for the City now joined in the outcry against me. Some of my friends stood firm. Sir William Treloar, who was the next alderman in rotation for the Lord Mayoralty of the City of London, wrote letters to *The Times* in my defence, and when he was attacked for it in the Court of Aldermen he said he would resign his gown rather than give up his right to defend a friend who was being maligned. But Sir David Evans, who had undertaken to be one of the vice-chairmen of my committee if the Tariff Reform League prevented my selection by the Conservative Association, took a different line. Others whom I had believed to be my friends fell away, especially Sir John Puleston, and greatly through his action a resolution was passed calling upon me to explain my conduct. At this moment my health suddenly gave way, and for a week or two I was lying ill at Thorncote. Sir Douglas Powell was called in, and he promptly ordered a six months' voyage, and entire abstinence from political work or study of any kind. I would not consent to the six months, but at the end of March, as soon as I was able to leave my room, I went off with Lady Clarke and my son William to Cairo. It was not a very fortunate trip. I soon became stronger ; but we had an exceptionally stormy voyage out. When I got to Cairo I found the homeward stream had begun, and, unless I left quickly, we should have a difficulty in securing a comfortable passage (while I was eager to get back), and breaking our journey at Algeciras, where we meant to stay a few days, Lady Clarke was attacked with severe tonsilitis, and we were kept there a fortnight.

When I got back in May I found the situation had not improved. So far indeed as the City was concerned I was not seriously uneasy. I have no doubt that the meeting which I had promised to address would have been a very stormy one, but I have equally no doubt that I should have held my own ; and of course I should not have accepted

from the majority of a meeting of an association of a few hundred persons my dismissal from a position which had been given me by over 16,000 electors.

And an incident which greatly disturbed my opponents showed how little they represented the general feeling in the City. A meeting was announced to be held at the Cannon Street Hotel against the Government Education Bill. Sir John Puleston was to take the chair and Mr. Balfour was announced to speak. No request to do so had been sent to me, nor any invitation to the meeting itself.

But at the time appointed I presented myself at the hall, went to the committee-room, and was then asked to second the resolution which Mr. Balfour was to move. I had an excellent reception, and was cheered by the crowd as I left the hotel.

But at that meeting Mr. Balfour's behaviour to me was very cold and unfriendly. He did not shake hands with me ; indeed, he had not done so since my return from Cairo.

If he had desired to retain me as a colleague, a word from him would have stopped all trouble in the City. But he not only refused (as I have since learned) to interfere in the matter, but he declined to express an opinion when appealed to by the City people, and his silence was understood, as I have no doubt he meant it to be understood, as showing a desire to get rid of me from the House of Commons. When I came to know this, the situation of course was entirely changed.

I should have been quite content to remain in Parliament and to work with all my strength for the Unionist cause. The fact that the fight would be a hard one, that it would involve the sacrifice of a leisure I had greatly enjoyed, and that I should be spending the later years of life in striving to secure for my party a triumph which I certainly should be too old to share, would not have deterred me from throwing myself into the conflict if I had still been accepted by my leader as one of his trusted lieutenants. But it seemed clear to me that if I remained in the House I must change my seat. I could not submit

to have my presence on the front bench, to which Mr. Balfour had himself invited me, now simply tolerated by an unfriendly leader ; and my hope of rendering real service to the Tory cause was obviously at an end. At the same time my health was by no means satisfactory. For the first time in my life I suffered from want of sleep, and Sir Douglas Powell and Dr. Ferrier both told me that I must give up either my profession or my political work, as to continue both would involve the risk of complete breakdown, either physical or mental. Sir Douglas Powell told me this by letter on May 28th, and two days later the opinion was confirmed by Dr. Ferrier in the strongest terms. I came to an immediate decision. I wrote to Balfour the following letter, and took it down to the House of Commons.

House of Commons,
May 30th, 1906.

Dear Balfour,

I think that as my colleague and my leader you ought to have the first intimation of my intention to apply for the Chiltern Hundreds.

I am acting under the strongest medical advice, so I need not say anything as to other reasons which you might or might not think sufficient.

If I could ignore the question of health, I should certainly not consider them adequate to justify so serious a step. But I have no right to ignore that question, and it compels me to this decision.

Yours very faithfully,
Edward Clarke.

Then I went to the Whips' room and saw Sir Alexander Acland-Hood and Mr. (now the Right Hon.) J. S. Sandars, and told them my resolve, at the same time giving Sir Alexander my letter to the Chancellor of the Exchequer asking for the Chiltern Hundreds, signed but not dated, and authorised him to send it on as soon as he found it convenient, promising to say nothing of my decision until I saw in the papers the announcement of the vacancy.

Then I went off at once to Jersey to spend a few quiet days with my daughter and grandchildren.

I received the following telegram :

WEST STRAND, 8.52 p.m., *May 30th*, 1906.

This is only to say I have received your letter. Am just leaving for Versailles, from where I will write to you. —BALFOUR.

The promised letter was never written. I think my old leader might have shown a little more courtesy to one who had been his friend for more than a quarter of a century, and had just taken no small part in obtaining for him the seat for the City of London ; but he was then in great difficulties himself in presence of the masterful and threatening companionship of Mr. Chamberlain, and of course he could not foresee how soon he would be relieved from that formidable rival.

CHAPTER XXX

A MEDITATION: 1906

(*Written in bed, in Shorthand*)

THORNCOTE, STAINES,
March 1906.

SIR RICHARD, of the grave kind eyes and quiet thoughtful voice, has just closed the door and left me with the assurance that there is really nothing wrong, only extreme fatigue, and that I have only to rest myself well again. News and correspondence are of course forbidden, and I am to keep my mind as clear as possible of the worries of politics and law. Well, I think I can obey the instructions; and rest, simple, untroubled, seems to me the pleasantest of prescriptions. So I lie back and close my eyes, and think I will obey. Alas, it is not quite easy. Thought will not stop where I put it, and whatever subject I choose to start with, it seems that all roads lead to the same end. I start by thinking of my very early boyhood, just before I went to a country school. And in a flash, memory has run down the long chain of incident: school, prizes, evening classes, examinations, studentship, call to the Bar, taking silk, all the rest of it: and there I am at the House of Commons of last week. This will never do, I will try again. This time I will think of a case full of romance, tried long years ago, and almost all forgotten. But I have scarcely brought the scene to my memory when the scene-shifters are busy at work, and here am I before Mr. Justice Farwell, cross-examining Sir Alexander Binnie as I was last Saturday, about the effect of fatigue in metal so that a very small jar will bring the breaking strain. I did not expect when I was asking the questions (though the thought did cross my mind) that there was some fatigue of metal about me, and that I should not be

able to finish the case. No, this will never do. I have not energy enough to make a fresh start, so I open my eyes to see if I shall find distraction for my thoughts in all my pleasant surroundings, in the prettiest room I ever saw. That is just what this bedroom is. It is late March afternoon, fine and bright, and as I lie I can see through the window the silver stream, flashing like a sheet of diamonds, on its way to Penton Hook; and beyond it a tender brown haze with just a faint tint of green softens the outline of St. Anne's Hill. On the table beside me bowls of fresh violets surround a tall cluster of noble daffodils, and the air is filled with the scents of spring. Then the room itself. The cool soft afternoon light is round me like a flood. It lights up the rich crimson of the walls, the pale olive-green of the curtains, repeated in the eider-down quilt at my feet and the curtains at my head, which are lined with a pale pink, which is again echoed in the shades of the electric lamps. And in this harmony of colour the white enamel of the furniture—wardrobe, over-mantel, and the rest—takes its natural part. There is no need now to force the direction of my thoughts. This room has been in the making for fifteen years, and there is scarcely a picture or an ornament in it which does not carry my memory off to some pleasant incident of the past.

Let me delight in the treasures for a time, treasures all, for the happy days which they recall, though some are of very trifling value measured in terms of money. There on my right hand hangs "The Mother's Picture," which should be found in some form of engraving or of colour in the chief bedroom of every home which God has blessed with children. How little did the young Raphael know, when a lovely face before him and a barrel-top at hand led him to pour out his genius in these forms, that he was giving to the world a message which centuries could not silence! I never look at that engraving now without recalling the words of the poor woman who saw it for the first time at the Bethnal Green Museum—"Ah, she could

not help being a good woman with a baby like that." There on the left of the overmantel (I shall come back to this overmantel presently) is a brilliant proof of an Assumption by Murillo. I say an Assumption, for I cannot at the moment recall which of his great pictures it is. I think it is one of those two which hang nearly together on the right-hand wall as you go up the long gallery at Madrid. It is the perfection of beauty in light and shade. As I lie here I cannot see the outline with any distinctness, but I see the glory of the light on the face of the Madonna, and the luminous haze of angel faces round her. There is nothing finer of Murillo, I should think in the world, except that altar-piece of St. Antony of Padua which lines the wall of the south-east chapel at the Cathedral of Seville, and which, if you see it just at the right hour of the morning, blazes upon you with more than the glory of an Assumption, for the centre of the light is not the blue-robed Madonna, but the celestial Child Himself. Further to the left, on the wall beyond the window, hangs a copy of the best engraving of the greatest picture in the whole world. It is Mendel's engraving of the "Sistine Madonna." Here Raphael was at his greatest. And he who has not made a pilgrimage to Dresden, and sat silent for one half-hour before this picture, does not know how painting can excite and delight the soul. Until Mendel engraved it the true picture was hardly known to those who could not make this pilgrimage. Other engravers (you will see it in a moment when you set their works by the side of this) give but a poor rendering of the face, especially of the eyes of the Infant Christ. This is our chiefest treasure. Mendel's plate, which cost him seven years of labour, and brought him £6,000 in payment, was only just finished when the artist died. Twenty copies were printed from the copper while the engraving was still unfinished, for three of the curtain rings had been omitted. Forty more with the rings inserted, but only in outline. Then two hundred more, of which this is one, and then an electrotype was taken and the plate cut across.

Except for some emblems and photographs not to be written about here, these are the only frames before my eyes. Stay, there is another, Sharpe's engraving of Carlo Dolce's "Virgin and Child": a present to my Lady from our old friend Dr. Ginsburg, pleasantest of companions, who used to travel up to town with me of a morning and make the whole day brighter by the half-hour's talk. But enough of pictures, though there are one or two more I should like to dwell on. I turn to the white overmantel with its columns and recesses and shelves, where in the centre, and matching the whiteness of the arch above her, stands a parian statuette of the finest work of modern sculpture, the Gibson Venus, the special glory of the Great Exhibition, which ushered in the golden decade of the nineteenth century; but stay, I think I am wrong. I am not sure, but I think that Hiram Power's "Greek Slave" was the great statue of 1851, and the "Venus" came to delight us in 1862.

Scattered around her among vases and ivories are the trifling souvenirs of many days of travel, and these little things will amuse me most just now. Close by the white "Venus" are two gaily coloured figures which I bought in Chinatown at Vancouver, at the quaint little shop next to the chief joss-house, and the sight of these carries my mind away to the Chinese waiters at the hotel at Laggan, and so to the lake in the clouds, and a whole gallery of delightful pictures which my memory brought back from the journey through the great Dominion. Just below stand a group of tiny Spanish bull-fighters and dancers, and as I look I am away at the walls of the Alhambra in the flood of glory of a late September afternoon.

Opposite the little shops that nestle in a corner outside the walls the old king of the gipsies poses for the inevitable snapshot, while the guide tells stories of his terribly wicked past.

On a lower shelf are climbing monkeys and a wide-mouthed frog of very common clay, which were bought from the market boat which attacks the P. & O. steamer

as she comes to her moorings at Gibraltar. I hope that in ten days' time I shall see that boat again. And behind them are two of the cheap ikons, unframed pictures on wood, which recall St. Isaac, the Kazan, and the noble pile of St. Sophia. I cannot remember at which these were bought, but I know as my Lady and I were standing at the long counter inside St. Sophia where the candles and ikons and books are sold, there came along two poor dirty labouring men with the unsmiling face of the Russian peasant, who looked so longingly at the little pictures they were too poor to buy that my Lady picked up two of the ikons (quite simple pictures, costing only some ten or twenty kopecks each), had them wrapped in paper, and gave them to the men. They did not smile, I doubt if they could, but their look of gratitude as they crept away with their treasures has been a pleasure to us for seven years. There are other trifles recalling other scenes—the model of the Savoyard, for instance, the great bell of the newest (except the new Cathedral at Berlin) and one of the most interesting of the great churches of Christian Europe. But I have seen enough, and though I do not go to sleep I close my eyes and a dreamy panorama seems to pass before me.

The soldiers as they swagger down the Nevsky Prospekt ; the orange-sellers chattering round the gate of the Alcazar ; the lumber rafts rushing down the chute at Ottawa ; the students swaying over the Koran at the University Mosque at Cairo ; the sun on the Rose Garden of the Dolomites ; the lizard shooting over blinding white walls of Pompeii ; all pass before my eyes, and I think I hear the warning shout as the gondola comes swinging round the sharp corner of the Grand Canal.

I lie in quiet contentment ; very weak, but thankful for this luxury of beauty and pleasant memories, full of gratitude for all the earthly blessings which have been showered upon me. The best of all is close at hand.

The door is gently opened and a sweet voice says, " Well, dearest, do I seem to have been a long time away ? "

CHAPTER XXXI

FROM LABOUR TO REFRESHMENT: 1906–1914

THE circumstances attending my election for the City of London and my subsequent resignation had tried me a good deal, and I think I should at once have left England for a prolonged absence, if it had not been for some special duties which fell upon me in this busy year. It was my year of office as Treasurer of Lincoln's Inn. In the ordinary course of succession by seniority Lord Alverstone would have served the office in 1904, and I in 1905. But in the former year the Prince of Wales (now our gracious Sovereign) honoured the Inn by accepting the Treasurership, and with great courtesy and dignity discharged its duties. These now required me to be as constantly as I could in attendance at the Inn. But there was another set of duties which had for two years made very large demands on my time and thought, and which were now approaching their completion. These were connected with the Royal Commission on Ecclesiastical Discipline which was appointed in April 1904 "to inquire into the alleged prevalence of breaches or neglect of the law relating to the conduct of Divine Service in the Church of England and to the ornaments and fittings of churches, and to consider the existing powers and procedure applicable to such irregularities and to make such recommendations as may be deemed requisite for dealing with these matters." It will be convenient that I should here deal with some fullness with that which is an essential part of the story of my life, but has not been referred to in earlier chapters. I had for many years been strongly interested and constantly active in the

discussions of church questions. My earliest political speeches were made in resistance to the disestablishment and disendowment of the Church in Ireland; I was one of the original members of the council of the Church Defence Institution, which had very important influence in political affairs during the later decades of the last century, and I frequently spoke at large public meetings upon the subject of religious education. I was always a strong churchman; but I never allied myself with either of the two extreme parties in the Church itself. As I said in November 1903 in a speech I made at the Pavilion, Brighton, at the beginning of my candidature for that borough:

I am a churchman, and I decline to accept any adjective in front of that word "churchman" which would limit me or describe me as belonging to any one party in the Church, but the Church I belong to is a Protestant Church. Historically, constitutionally, and doctrinally, the Church of England is a Protestant Church. Its Protestantism is the only explanation, and the only justification, of its now being severed from the body of the Western Church, and I am very anxious that the law of our Church shall be capable of enforcement.

It has been my experience, and one not unusual with men who desire to stand firm by central principles, that I have been attacked alternately by both the extreme parties. I do not know how I had given offence to the English Church Union at the time I was standing for Southwark in 1880, but the secretary of that body has claimed to have been instrumental in procuring my defeat at the second election there. In 1884 my speech and vote in support of the Bill for permitting marriage with a deceased wife's sister, in spite of a warning addressed to me by my High-Church constituents, turned some of my supporters into opponents whose influence was felt in the troubles which occurred there fifteen years later. The next attack came from the other side. There was a little Orange Society at Plymouth, and when I built St. Peter's Church, and set

on the front of the tower, according to old and goodly custom, the figures carved in stone of St. Peter, St. Andrew, and St. John, they passed a resolution accusing me of having set up a mass-house on the banks of the Thames, adorned with graven images. That was easily dealt with. I invited them to send their representatives to inspect the church, and promised that if they found anything that was illegal either in the structure or the services I would pay the expenses of the deputation. I think they made inquiries in London, and I heard nothing more of them.

In 1899 the increase of illegal practices in certain dioceses, and especially in the diocese of London, led to drastic proposals in the House of Commons which in default of any action by the Bishops I declared my intention to support. Then came memorable debates in both Houses. In February of that year the Archbishop of Canterbury (Temple), whose reputation for straightforwardness and firmness gave his words great influence on the public mind, made a declaration in the House of Lords in the name of the whole of the episcopal body.

He said :

Although we are all quite determined that we shall bring the ritual of the Church of England within its proper lawful limits, we appeal to the laity generally to give us time to go into the matter, and not to expect that, because there has been this agitation, in the course of two or three months the whole thing will be altogether changed. We cannot do it in the time.

Two months later a debate took place in the House of Commons, and a resolution intended to assist in the work of correction was passed without a division—" That this House deplores the spirit of lawlessness shown by certain members of the Church of England, and confidently hopes that the Ministers of the Crown will not recommend any clergyman for ecclesiastical preferment unless they are satisfied that he will loyally obey the Bishops and the Prayer Book, *and the law as declared by the courts which have jurisdiction in matters ecclesiastical.*"

When the motion was put to the House, Mr. Balfour, under pressure from a little group of High-Churchmen, wished to omit the last fourteen words. I and others protested, and he gave way. They were retained in the resolution by 200 to 14; I being one of the tellers for the majority.

I believe that for some years this resolution was acted upon, and an undertaking of obedience to the law was required from a cleric before he was appointed to a Crown living. I have much doubt whether in some more recent years this important and mandatory resolution passed unanimously by the House of Commons, and accepted and supported by the Government of the day, has not been wholly ignored.

A month later the Church Discipline Bill came before the House, and the Government only prevented its being read a second time by an amendment proposed by the Attorney-General, Sir Richard Webster (afterwards Lord Alverstone), declaring

That this House, while not prepared to accept a measure which creates fresh offences and ignores the authority of the Bishops in maintaining the discipline of the Church, is of opinion that, if the efforts now being made by the Archbishops and Bishops to secure the due obedience of the clergy are not speedily effectual, further legislation will be required to maintain the observance of the existing laws of Church and State.

The years passed on; a new Archbishop promised "stern and drastic action"; nothing was done; and then in 1904 the Royal Commission was appointed.

On October 11th, 1899, in the very midst of my troubles at Plymouth, I spoke at the Albert Hall to the largest meeting I have ever addressed. It was the mass meeting of men of the Church Congress. My topic was "The Church and its Work." I felt that it was an exceptional opportunity, and I gave more time and thought to the consideration of what I should say than I ever gave to any

other speech. I made my appeal for a revival within the Church.

We have heard a great deal—I think too much—of the Catholic revival. Is it not time that there was something said of a Christian revival, a revival that would awaken us to a sense of our duty, our influence, and our capacity, and help us to make the Church of England to which we belong a more potent factor in all the moral and social movements that affect our country ? [1]

These words did not help me in my difficulties at Plymouth ; I knew they would offend many people there ; but I felt it was my duty to say them.

I have quoted the words in which at the outset of my candidature for Brighton I defined my position upon church questions. It seemed curious that after that declaration it was from the extreme Low-Church party that opposition came.

An elector in the constituency, representing the Church Association, wrote to ask me to pledge myself to vote for a Bill for the inspection of nunneries. I refused to give any such promise. Thereupon the Church Association issued a pamphlet attacking me for having as patron allowed an exchange of livings which brought to St. Peter's a vicar who in the church of his former parish had worn the illegal vestments ; and they circulated this pamphlet throughout the constituency. As a matter of fact, I had refused to permit the exchange until the incoming vicar had given me in writing his undertaking, which he faithfully observed during the eleven years of his incumbency at Staines, that he would loyally obey the law in all the services of the church.

I may as well mention here that at the election for the City of London in 1906 the last circular which the electors received was a similar attack upon me by the Church Association, which was posted to them at much expense on the day before the polling, and of course had no effect at all in a constituency which knew me so well.

[1] *Selected Speeches*, p. 298 ; *Public Speeches*, 1890–1900, p. 296.

In May 1904 the Royal Commission was appointed, and Mr. Balfour invited me to serve upon it.

It was unquestionably a strong commission, and fairly represented the different sections of the Church; and it addressed itself with great diligence to its appointed task. There were 118 sittings, it examined 164 witnesses, and sent out inquiries which brought very full information. I was a regular attendant at the meetings, and willingly (for I was then very hopeful that some good would come of our labours) sacrificed a great deal of professional work and income.

We had a misfortune in the death of Lord St. Helier at the end of 1904. It was not only that he was a great ecclesiastical lawyer, but he had for years been desirous of providing a remedy for the disorders into which we were commissioned to inquire. Seven years earlier he had suggested to me the passing of an Act of two clauses, one doing away with the Bishop's power of veto, and substituting a judicial veto on vexatious proceedings or the requirement of leave from the Court for their institution, and the other substituting deprivation for imprisonment as the penalty for contumacious disobedience. (Both these reforms were recommended in our Report.) His place was filled by the appointment of Lord Alverstone, who was less experienced and less interested in the subject.

The Report of the Commission had been drafted before my illness in March 1906, but it was still under consideration when I came back to England, and I was present at the final meetings. The fact that it was unanimous was chiefly owing to the skill of Bishop Paget of Oxford in framing sentences which different opinions found themselves able to accept; but upon the main questions referred to the commission there was no difference of opinion at all.

The law was clear and unquestionable. The statement of it in the Report was drawn up by Sir Lewis Dibdin, Lord Alverstone, and myself, and its correctness has never been disputed. It was equally clear that the breaches of the law into whose prevalence we were commissioned to

inquire were widespread and increasing, although we were able to close our report with the statement that

in the large majority of parishes the work of the Church is being quietly and diligently performed by clergy who are entirely loyal to the principles of the English Reformation as expressed in the Book of Common Prayer.

It was with much satisfaction that I signed the Report, for while it contained some suggestions as to legislation and the constitution of new courts which I did not think very practical, or at all likely to be carried into effect, it did very clearly point out the illegalities which were being committed ; and its first recommendation was that certain practices specified in the Report which were " plainly significant of teaching repugnant to the doctrine of the Church of England and certainly illegal, should be promptly made to cease by the exercise of the authority belonging to the Bishops, and, if necessary, by proceedings in the Ecclesiastical Courts." And it justified the acceptance of evidence from persons who had been employed to observe and describe the services complained of in a very weighty sentence :

We must also add that it does not follow that irregularities in the services in a church should be passed over because no habitual worshippers complain. Not only have all the parishioners a right to complain who might possibly attend if those services were differently conducted, but also the nation has a right to expect that in the national Church the services shall be conducted according to law.

It was a great disappointment to me that the time and labour spent on this commission were wasted. Indeed it would have been better if the commission had never been appointed, for, like so many other Royal Commissions, it was an instrument of delay, and those whose firm enforcement of its unanimous recommendations would have done much to cure the evils it was appointed to investigate found in its report a pretext for inaction. When this became

clear in the year 1910 I wrote some letters to *The Times* upon the subject, and became President of the National Church League, hoping through that society, and with the aid of the Laymen's Committee soon afterwards established, to do something to check the spread of the illegal practices which, with the tolerance of the Archbishops, and even the encouragement of some of the Bishops, are gradually effecting the disintegration of the Church of England, and gravely endangering her privilege of establishment and her enjoyment of her great endowments.

The Report of the Royal Commission was signed on June 21st, and a few weeks later I went off with my son-in-law, Captain Norman Rees-Webbe, for a trip to South Africa. I could not have found a better companion, for he had served in the war for two years and a half; with his regiment, the Northamptons, during the fighting advance to Modder River; and afterwards with the Army Service Corps in convoying supplies in many parts of our fields of operation. We were away about two months, and every day of our stay in the Colony was full of interest. Landing at Cape Town, we were for a few days the guests of Dr. Jameson, then Premier of Cape Colony, at Groot Schoor, and he asked some of his principal colleagues to come and meet us at dinner. Travelling on to Kimberley, we saw the battle-fields of Graspan, and Belmont, and Magersfontein, and Modder River. At Kimberley we saw the diamond floors and the great Siege Alley, and went down to the lowest level of the Kimberley Mine, and were at the midday explosions at the Wesselton Pit, and visited the largest of the native compounds. At Johannesburg Mr. Lionel Phillips himself was our guide in the deep levels of Robinson Deep; and here the members of the local Bar entertained me to dinner at the Rand Club, J. L. Leonard being in the chair.

At Pretoria, where we stayed at the hotel which was the headquarters of General French during the later stages of the war, I was again entertained by the Bar; and here my health was proposed by a young barrister, who had been

a pupil of one of my juniors in the Jameson case, and had greatly distinguished himself as a fighter on the Boer side in the war. He has since obtained an even wider fame as General Smuts.

On our way down to Durban we stayed at Ladysmith, and paid a very interesting visit to the battle-field of Colenso. Here is surely the strangest monument ever set up by British hands. It marks the spot where, through some unexplained accident or incapacity, the Boers were allowed to capture and carry off ten British guns.

A short stay at Ladysmith and another at Pietermaritzburg, and then at Durban we took ship for home.

Our time on shore was too busy for me to write anything except a series of letters to my wife, giving an account of our doings, but I made up for this by a good deal of industrious writing on board ship.

In the volume which I had bound for her and lettered *Trip to South Africa: August 11th to October 13th*, there are about two hundred and fifty quarto pages of manuscript. Fifty-five of them are my letters to her; twice that number contain the first draft of the early chapters of this book. During our time at sea I read every evening some chapters of the Pentateuch, and made careful notes, and these notes, copied out the following morning, fill fifty-seven pages. Then there are about a dozen pages of scraps, and quotations, and comments upon books. It was a pretty good output for a few weeks; and the discipline of forcing the mind to activity upon subjects as far removed as possible from the troubles of the early part of the year was very useful. I came home with my physical health and mental energy completely restored.

I determined then that henceforth I would always have on hand some definite piece of literary work which would fill my leisure thoughts with interest, and protect me from the danger of listless idleness.

So I very soon set to work at my book on shorthand. I procured many books, and studied many systems, and spent much time in comparing them, and before the end

of 1907 I published my system of *Easy Shorthand*. It was at once successful; four editions of ten thousand copies each were issued, and I am frequently hearing from distant parts of the world of its adoption and usefulness. But a new system of shorthand, like any other invention, needs to be taken up by a publisher or some great educational establishment, and worked on commercial lines, in order to be fully successful. I believe that mine will gradually make its way. At all events, it cannot be bought up and extinguished, as happened to a useful system which promised to be very successful a good many years ago.

In the course of my studies of the history of shorthand I became much interested in a statement made in the *Biographia Britannica* of a "Lineal Alphabet or Character of Dashes" which is said to have been used by one Topcliffe, wherein "every letter was expressed by a single straight stroke, only in different postures and places." And this interest was of course deepened by examining the only alphabet which answers his description, which is in the handwriting of Charles I, and signed and sealed by him, and was enclosed in a letter which he wrote from Oxford to the Marquis of Worcester on April 5th, 1646 (British Museum, Harl. 6988, 121).

This alphabet has obvious and serious defects, and I could find no other; so I determined to invent one, and in 1908 I published *Swifthand: a New Simple and Rapid Method of Writing*.

My practice at the Bar, which had fallen off with extraordinary rapidity from 1904 to 1907, steadily increased during the next four years, and did not give me much leisure for other occupations, but early in 1911 I addressed myself to a more important task which occupied my spare time for over two years. The discussions which arose in that year in connection with the Tercentenary of the Authorised Version of the Bible showed a general agreement that there was no satisfactory version of the New Testament for use in private reading or in the public services of the Church. And an address signed by one hundred of

the foremost English representatives of theology, scholarship, and literature was presented to the Archbishop of Canterbury, asking for "such an emendation of the Authorised Version of the New Testament as shall remove all mistakes, whether they are due to mistranslation or were the result of the use by King James's translators of a Greek text which later research has shown to be faulty."

My own experience, for since I became a churchwarden of St. Peter's in 1902 I have been allowed to read the lessons at the Sunday services, had made me keenly sensible of the need for such an emendation, and I had made it for myself by carefully comparing the Authorised and Revised Versions, and adopting the alterations in the latter so far, and only so far, as they either corrected material errors in the earlier translation, or were required in order to make clear the meaning of the sacred writer. This need is most strongly felt in the Pauline Epistles, and before the address was presented to the Archbishop I had privately printed and circulated a version thus prepared of the Epistle to the Corinthians. This was so well received that in February 1912 I published the Epistles of St. Paul (including in the book the Epistle to the Hebrews), and in August 1913 the complete text of the New Testament. I hear from time to time of this book being used, as it may quite lawfully and properly be, in the public worship of our churches.

Of my professional work during the years to which this chapter relates there is not much to tell.

My resignation of the seat for the City of London and the circumstances by which it was accompanied made an end of all political hopes, while my practice at the Bar was rapidly diminishing. This was not strange, for the manifold occupations which had fallen upon me in 1906 were enough to make my presence in court so uncertain that clients very wisely sought other representatives. And there was a brilliant group of younger men, Rufus Isaacs, John Simon, F. E. Smith, and H. E. Duke, any one of whom might well be chosen to fill my place.

I did not entirely give up the hope that I might become

a judge ; I did not quite abandon that until several years later, for I remembered how Sir James Bacon was appointed Vice-Chancellor at seventy years of age, and lived to earn his pension by fifteen years of service. But his case was exceptional, and I thought, perhaps mistakenly, that I was less likely to get judicial office from the party which I had always opposed than from that to which the loyal service of many years had been given. However, as I have said, my practice soon began to recover, and to the end of my half-century it continued to be counted in thousands, although they were very few as compared with the golden shower of 1902. My rule as to the minimum fee was never relaxed.

No case of very great public importance occurred in those years ; but before the Judicial Committee of the Privy Council I argued interesting questions sent from India and Canada and South Africa.

The two cases that interested me most were the two election petitions in which I appeared after an interval of thirty years.

At Hartlepool in 1910 I was defeated in the attempt to defend the seat, to the entire satisfaction of my client and his family. Sir Christopher Furness was no longer equal to the work of the House of Commons, and the peerage which was almost immediately bestowed was by no means unexpected. In the following year I had a very hard fight, and a very pleasant victory, at Nottingham ; and it was singularly interesting to me that I should be quoting with good effect in defence of the Conservative member the judgement which I had listened to at Plymouth thirty-one years before.

Perhaps the most curious of my cases during this period was an action for slander in which I had three King's Counsel as my juniors. They were of the highest rank, and had magnificent fees, and were all present during the trial, but from the beginning to the end neither of them was called upon to say a single word.

My appointment to the Privy Council in 1908 was very gratifying and quite unexpected. I was dining at Lincoln's

Inn on November 2nd, Lord Macnaghten and Cozens-Hardy, the Master of the Rolls, being with me, and we were talking about Law Officers, and the cases in which they had failed to attain judicial rank, when a note from the Prime Minister marked "private" was put into my hands. It said, with very pleasant expressions of personal friendship, that he had the pleasure of proposing to me with the King's approval that I should be sworn a member of the Privy Council on the occasion of His Majesty's birthday.

Of course I accepted; and I confess that the offer gave me so much pleasure that the week which elapsed before, on the morning of the King's birthday, the public announcement was made seemed to me a very long week indeed.

I had a fine reception when I went to the Guildhall banquet that evening, wearing for the last time my black velvet court dress, and Asquith told me that my appointment was by far the most popular in the day's list.

I soon had notice to attend at Windsor Castle to be sworn in, and the notice said "morning dress." So I drove over from Thorncote on the appointed day dressed in my usual grey suit. I thought the servants who showed me up to the room where we were to wait looked at me rather oddly, but the reason did not occur to me. The others had not arrived, and I found afterwards they had waited for me a few minutes at Paddington, expecting me to join the special train which brought the party from London. There were five of us to be sworn of the Council, and we were rather an odd group. Sir Rennell Rodd had been appointed earlier, and for some reason had delayed taking the oaths. The four new members were Mr. J. A. Pease, Mr. Herbert Samuel, Sir Charles McLaren, and myself. Pease, as a Quaker, had to affirm; Samuel, a Jew, had to swear on the Old Testament and with his head covered; so the ceremony was rather a long one. Three of us took the oaths in the ordinary way; then Pease affirmed. The only difficulty was with Samuel, but it was decorously solved. He had a new hat which he held behind his back. Just as he kissed the book he jerked up his hat

and touched the top of his head with it, while King Edward looked another way. We had an excellent lunch afterwards, served at three rather large round tables, and I sat next a pretty young woman who was a lady-in-waiting to one of the princesses.

I asked her what was the rule of the Court about morning dress. "Oh," she said, "it means black frock-coats." I asked if every one staying at the Castle was expected to come to breakfast in a black frock-coat. "Yes," she said, "that was so, although the King never met his guests at breakfast." I said, "Do you mean that they put on black frock-coats whatever they are going to do afterwards?" "Yes," she said, "it is a strict rule." I think she, like the others, was much amused by my breach of etiquette.

In 1909 I had a heavy financial loss, which at the time troubled me a good deal, but has turned out to be of very little consequence. Twenty years before a group of London solicitors, all men of high position in their profession, and all men of great experience and of the highest honour, established the Law Guarantee Society. The plan was sound, their influence was very great, and the venture was immediately successful. Only one-tenth of the subscribed capital was called up, and upon the money so paid 10 per cent. interest was regularly paid for nearly twenty years. Then whispers got about that things were going wrong, and in 1908 Lord Alverstone and I, who were both large shareholders, and I think one or two others who could be completely trusted, were told that the difficulties were serious. The fact was that in 1888–9 the prosperity of the country was at its highest level, and the prospects of every commercial undertaking appeared to justify courageous speculation upon the future. This was especially the case with undertakings concerned with the liquor traffic or with public amusements, and unfortunately the larger part of the early business of the new society was in lending money on mortgage of properties of this description. The directors were advised by surveyors of the best repute, who probably would have been more careful if they had themselves

shared the directors' responsibility. These valuations were too costly to be repeated periodically, and the result was that vast sums were lent on public houses, and breweries, and hotels, and theatres, which, when the society foreclosed the mortgage and took possession, could not have been carried on at a profit, even if the officials had always been scrupulously honest. All the directors stood manfully by the failing venture, and were themselves among the heaviest losers when the crash came and the society failed with liabilities of eight millions of money.

I was a shareholder, and a debenture holder, and had subscribed for debentures guaranteed by the society; and I found that the modest income which I thought I had secured for my days of retirement was reduced by about one-third.

So I was obliged to leave my pleasant but expensive home at Thorncote. It fortunately happened that two or three years before my fellow-churchwarden and I had jointly purchased a strip of land at the side of the church grounds and with a frontage to the towing-path. We feared that it might be bought by a speculative builder and used for a row of cottages. I now bought out my partner in the ownership, and there built a small house in a delightful situation, which we have found quite large enough for comfort, and which I hope will some day serve as a not too expensive vicarage.

As politics no longer filled my thoughts, and the law was making less and less demand upon my time, the third great interest of my life came to fill a more important place. During all those years of absorbing professional work, years spent in learning and forgetting the details of the quarrels of others, or of the perpetual conflict between law and crime, there had often come to my mind the pathetic opening lines of one of Trench's finest sonnets:

> "To leave so many lands unvisited,
> To leave so many glorious books unread."

I had tried, as the last chapter will have shown, to use to

the full my opportunities of travel, and I had often hoped that "in those may-be years I had to live" some short space of quiet time might be granted me to turn back to those pleasures of literature which had been the delight of my boyhood. The famous passage in which Nicolò Machiavelli, in the year when his political employments ceased, described in a letter to his friend the joys of a library often haunted my thoughts.

But when evening falls I put off my country habit filthy with mud and mire, and array myself in royal court garments. Thus worthily attired I make my entrance into the ancient courts of the men of old, where they receive me with love, and where I feed upon that food which only is my own, and for which I was born. They, moved by their humanity, make answer: for four hours' space I feel no vexation. Poverty cannot frighten, nor death appal me.

My library is richer than that of the famous Florentine, for he had only the literature of Italy, in its ancient or its modern tongue, while I, subject to limitations of language, have all the wealth of the four centuries which have passed since he wrote those words. Those limitations are indeed sometimes irksome, when I think of the fortunate ones to whom the circumstances of their youth have given the opportunity of learning to enjoy in their original beauty the masterpieces of the great writers of classic times. But I do not think of them with any soreness of envy. Æschylus, Plato, and Virgil are not for me. But I have Shakespeare, and Bacon, and Milton, and all their troop of worthy successors, and I feel no need of more. Others may feed in a wider pasture, but they have no better food.

And here I have passed from the labour of life to its time of refreshment.

I am sitting in my library—I planned the house, so of course it is the largest room—surrounded by my books. On the top of the low book-shelves stand a few choice bronzes, Voltaire and Rousseau among them, and some fine specimens of my favourite Martin-ware. On the walls

are some proofs of Landseer and Rosa Bonheur, and the likenesses of Pitt, and Fox, and Canning, and Wellington, and Peel.

Chief treasures of all are Biscombe Gardner's portrait of my great master in politics, as he stood in the House of Lords in 1878 and spoke of the Berlin Treaty; and his favourite clock which now stands upon my mantel-shelf.

I look from the windows over the green turf of the church grounds, and across the silver stream, and through the thinning autumn leaves see the low outline of the Surrey hills.

There could be no sweeter surroundings, and I turn back to my desk in full contentment to write the closing pages of this book.

CHAPTER XXXII

THE END OF THE STORY: 1914

EARLY in the year 1914 I had to respond for "The Bar" at a city dinner, where many lawyers were present, and, tempted into reminiscence and forecast, I noted that I was in my fiftieth year of active practice, and that I did not intend to continue in legal work after the close of the half-century.

At the end of May the first words of public farewell were said most appropriately at the Old Bailey, where my earliest and my most notable successes had been won. I was now appearing for the principal defendant in a very important case, and my friend Sir John Simon, who some years before had held his first brief in a criminal case as my junior in the defence of Mrs. Penruddock, was now prosecuting as Attorney-General. The judge, Sir Charles Darling, between whom and myself there has always been some fellowship in literature, as well as in politics and law, said very kind things about me, and although I appeared later in the civil courts, this was practically the end of my legal work.

But there was reserved for me a crowning honour. On July 17th, the latest day available before the beginning of the Long Vacation, the Bench and Bar entertained me at a dinner in Lincoln's Inn Hall, at which two hundred and fifty of my brethren in the law assembled to do me honour.

It was impossible for me to look along their ranks without pride and emotion.

Haldane, the Lord Chancellor, was in the chair, and the Attorney-General sat upon his left, and shared the duty of

proposing my health. Twenty-five judges were there, and those who had been kept away by circuit duties or ill-health sent their regrets and congratulations. Over a hundred King's Counsel were at the tables, and wherever I looked some faded recollection of legal work came back with sudden freshness. It is dangerous to mention names, for one knows not where to stop. But some must be noted. Next to me on my right sat the Nestor of the Law —Halsbury—in full activity of mind and body, although he carried the weight of ninety-one toilsome years. At every step of my life in politics and in law he had been my companion and my friend. Courtney had known me before I was called. Morley's presence I felt as a special honour. Rathmore embodied all my pleasantest recollections of the House of Commons. Moulton, Reading, Sumner, Finlay, Cave, F. E. Smith, Henry Dickens, Balfour Browne, Poland, H. E. Duke, brought back memories of forensic conflicts. Almost all the judges had at one time or another spoken of me as "my learned leader." Thirty-four years had passed since I took pupils, but four of my old pupils were there to meet me. Both my sons were there, both barristers, one of eighteen years' standing, one of eight. And in the gallery my daughter and her soldier husband sat with Lady Clarke.

That was the closing scene of my public life.

But there is something yet to be added.

Charles Russell said to a friend who asked for information that would help him to write a biography, "Don't you think that the best thing I could do would be to write my own life from my own point of view?" That is what I have done in this volume. But I do not think the book would be complete if I stopped at this sentence. The reader who has been interested in this story would like to know the thoughts and feelings of the chief actor in the drama of life which has been here narrated, as he looked back over the incidents of his own career. I expressed them frankly in my speech that night, and with the quotation of that speech I close the record.

It is very difficult for me to make reply to the speeches which have just been delivered, or to thank you for the great honour that you are doing to me in this assembly of my brethren of the law, who are offering to me an unexampled honour to-night. The most difficult task of all my professional life has been reserved for its close—it is difficult indeed to make response, and perhaps dangerous to try to make any. I am here to take your verdict upon my career and character, and there has been a curious inversion of the ordinary practice of our courts. The Lord Chancellor has pronounced judicial and reasoned judgement, and after he has given that judgement, the Attorney-General has made an eloquent speech for the defence, and now, when these are finished and all is over, except the shouting—and there has been some of that—I am called upon to speak for myself. But the court is so clearly in my favour that to make any reply at all is rather dangerous, as it might suggest to the judges that after all there was some reason to think that something might be said on the other side. But I can, of course, try to answer the matter of these very kind and generous speeches. Apart from the merits which friendship to-night has magnified, or the defects which friendship to-night is kind enough to forget, there is only, indeed, one matter referred to on which I can fitly speak, and that is the unusual length of my career at the Bar. Fifty years have passed of active work at the Bar from beginning to end. There were twenty-two years of upward strife ; there were six years of Law Office ; and since then there have been twenty-two years of private practice, continuing to the end not as nominal practice, but as substantial and—I say it under my breath—lucrative practice down to this very month. My life at the Bar began before the Law Reports were born, but every year the Law Reports have contained a record of some of its incidents. In the first volume of the Privy Council Reports a case is mentioned in which my name appears as counsel when I was junior in a very important criminal appeal to Hardinge Giffard, and I believe that the Law Reports of the King's Bench Division for next month will contain a Report of the latest argument of mine in the King's Bench. That pretty completely fills the fifty years. It is a proud moment for me to stand in the midst of this great gathering of the chiefs and leaders of my profession

and to be assured by them, as you have assured me to-night, that throughout these fifty years I have maintained the noble traditions of the English Bar. The name which I have just mentioned suggests the only personal reminiscence upon which I will venture to-night. My firm resolve to make my way to the Bar dates from the night when nearly sixty years ago I heard in the House of Lords Lord Lyndhurst, then eighty-eight years of age, make a speech, and I noted the respect and almost reverence with which he was treated in that House. My first case reported at the Bar before the Law Reports existed is to be found in *The Law Journal* for April 27th, 1865, when I was junior to McMahon in an extradition case, and the leader on the other side again was Hardinge Giffard. My leader was just finishing his argument, and Giffard spoke to me and said, "How long do you think you will be?" "Oh!" I said, "I don't think he has left anything for me to say. I don't think I need follow." "Never mind," said Giffard, "you go on; you want the judges to know you, and you want to get used to hearing your own voice in the courts." I followed that good advice, and I have been grateful for that good advice during all the fifty years that have passed since. From that day to this Giffard has been my kind friend, and it is one of my greatest pleasures in standing here to-night to receive this tribute of your kindness and goodwill that there should be sitting next to me the Lyndhurst of our day, who has come to join in doing me honour. There is one drawback to the profession of the Bar, and it is this—that the barrister's work, however well it may be done, is rarely known beyond his own generation. There are, no doubt, from time to time, cases of great public importance like, for instance, the Jameson case, or perhaps still more like the Parnell divorce case, leading to very great and far-reaching political results; but although the names of these cases will be found in history, the names of the counsel engaged in them are unimportant and very soon forgotten. But there is one way in which an advocate may seek to secure some longer recollection of his work. Oratory has a literature of its own. The delightful and sadly neglected art of rhetoric finds its best illustration in forensic speech, and if an advocate addresses himself to his work, not only to the practical end of securing a verdict, but with the desire that his speeches shall have some literary quality,

there is a possibility that they may be remembered later. I have done my best. The output of fifty years seems very small, but there are six speeches—three in the Criminal Courts, three in the Civil Courts—which I hope may be remembered for some time even after my generation has passed away. Let me say that I have been anxious to make better acknowledgement of your kindness to me to-night than could be conveyed in an inadequate speech, so I have done myself the pleasure of writing my name and the date to-day in sufficient copies of my volume of speeches to provide one for every diner at these tables. I shall be grateful to you if, when you leave this hall, you will each kindly take one of these packets and accept it and keep it as a souvenir of your kindness and of my gratitude.

You have spoken of the leisure to which I may now look forward, and you, my Lord Chancellor, have very kindly encouraged me in the hope, which I trust may be at some time gratified, that, although I am parted from professional work at the Bar, I may be able to do some service to the public in some capacity for which my experience and knowledge may have fitted me. I do not think that leisure will be passed idly; in fact, the increasing leisure of the last few years has not been wholly wasted. I have written the story of my life for forty years. I have prepared the best English version of the New Testament that has ever been published. I have contrived the easiest system of shorthand that any one could learn. I have invented the simplest alphabet that the world has ever seen. I am not speaking of these things to claim any great credit for them. There is hardly any one in this hall who could not have done any of them if the thought had occurred to him, and if he had been willing to give the labour and the time which were necessary for the work. But at all events, I hope it may be an assurance that the leisure which I am hereafter to enjoy is not likely to be wholly wasted. You have spoken of my public and political life. I have had two great disappointments, serious disappointments; one which tried me very hard indeed, and one which was of comparatively minor significance. I did not come to the Bar from any attraction for the study of law, but I came to the Bar because I believed that through this profession, and through this alone, I might be able to make my way to political influence and position. For a time all went well. Before I was

forty years of age, which, considering my commencement, was early, I had a seat in the House of Commons. Within six years I had become Solicitor-General, and then I had six years of the pleasantest association with my dear friend Richard Webster, who wrote to me yesterday, as well as writing to the chairman, and from whom I was glad to hear that he was so much better that he hoped next week to return to his home at Winterfold. Those six years passed. I had three years of even greater enjoyment in active work on the Front Opposition Bench, the most delightful position in the House of Commons. But there came a time a little later when, upon a very grave question of public importance, I found myself in conflict with the leaders of my own party, and with the popular feeling of the time. I could not make terms with my conscience. I acted as I believed to be right, and my political ambitions and hopes suddenly passed into shadow. There was an afterglow, where afterglows are not often seen, in the City of London ; but an afterglow, however interesting and even brilliant it may be, is never the beginning of a new day, and so the political hopes vanished. And then there came to my mind the hope that I might be thought worthy of wearing the judicial ermine. That dignity, indeed, had been offered to me some years before, but it was at a time when my political ambition had not suffered eclipse, and I refused it. No opportunity of acceptance was given later, and so it comes to pass that at the end of these fifty years I finish as I began, as a private member of the English Bar. To some that will look like failure, and indeed, of late years, I have been fond of quoting the beginning of that fine sonnet which begins, " Not all who seem to fail have failed indeed."

But there has been no failure, and I have no reproaches or regrets. If success in life is to be measured in terms of personal happiness, as I think it ought to be, then no man ever had a more successful life than mine. God has blessed me with health in mind and body, and has given me many kind and faithful friends. I have spent my life in the practice of the most interesting profession in the world. I have had golden opportunities of distinction, both in politics and on the forensic side of law, and my political and professional activities have had for their background a domestic life of complete and continuous happiness. I am

grateful to the committee and to you that the authors and sharers of that happiness, chief of them my dear wife, have the opportunity of being here to-night. It cannot but be that in the course of half a century of keen and constant and strenuous controversy I have from time to time been unfair and discourteous to my opponents (cries of " No, No ") and have failed to appreciate and to acknowledge the help that has been given me by my juniors. There must in such a time have been such cases. It has never been from malice or jealousy, but it may have happened in the stress of very hard work and very great responsibility. I hope that when I leave this hall to-night I may feel that all such faults have been fully and freely forgiven, and that there is not a cloud to dim the memory of the happy half-century of work of which this is the closing scene. Once more with all my heart I thank you.

When the speeches were over Lady Clarke and my sons and daughter joined me in the Benchers' Parlour, and there we received the farewell congratulations of many friends. Then, with my wife and daughter and my daughter's husband, I motored down to my home at Staines. There was little talking on the way. My heart was full of thankfulness to God Who had given me health and strength for fifty years of strenuous work, and had surrounded me at their close with so much love and honour.

LIST OF THE PLACES OUTSIDE LONDON AT WHICH I HAVE MADE POLITICAL SPEECHES

Ascot
Ashton-under-Lyne
Aylesbury
Barnet
Barnstaple
Bath
Bedford
Bewdley
Bideford
Birmingham
Bishop's Stortford
Blackburn
Bradford
Bridport
Brighton
Bromley
Callington
Camborne
Cambridge
Canterbury
Cardiff
Chatham
Cheltenham
Chertsey
Clifton
Colchester
Coventry
Croydon
Darlington
Darwen
Devonport
Doncaster
Dover
Dublin
Durham
Eastbourne
Edinburgh
Enfield
Epsom
Eridge
Evesham
Exeter
Falmouth
Felixstowe
Folkestone
Frome
Glasgow
Gloucester
Grantham
Gravesend
Guildford
Hartlepool
Harwich
Hastings
Hertford
Hull
Ipswich
Kettering
Kidderminster
King's Lynn
Leeds
Lewes

Liskeard
Liverpool
Luton
Maidstone
Manchester
Newcastle-on-Tyne
Newton Abbot
Northampton
Oldham
Paignton
Parkstone
Penzance
Petersfield
Plymouth
Poole
Portsmouth
Preston
Reading
Richmond
Rochdale
Saffron Walden
St. Ives
Salisbury
Sheffield
Slough
Southampton
Southend-on-Sea
Stourport
Sunderland
Sutton
Swansea
Swindon
Taunton
Tavistock
Teignmouth
Tiverton
Tonbridge
Torquay
Trowbridge
Tunbridge Wells
Twickenham
Uxbridge
Wadebridge
Warwick
West Bromwich
West Ham
Whitby
Winchester
Windsor
Woodstock
Yeovil
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